

File #:

62-HQ-116395

Serial Scope:

1263, 1266, 1270, 1273-1274, 1st NR 1276,

1277x-1280, 1282, 1284-1286, 1288-1290,

1291, 1294-1296, 1298, 1299, 1301-1302, 1304

- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar

The Attorney General

January 5, 1976

Director, FBI

- 1 - Mr. J. G. Deegan
- 1 - Mr. T. J. Seabaugh

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to the December 18, 1975, SSC letter forwarded from the Department of Justice by letter dated December 22, 1975, containing requests for information from the FBI.

Enclosed for your approval and forwarding to the Committee is an original of a memorandum in response to some of the requests.

Also enclosed for your records is a copy of the memorandum.

Enclosures (2)

ST-111

62-116395

REC-51

62-116395-1304

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

JAN 30 1976

TJS:eks
(10)

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
 - Admin. _____
 - Comp. Syst. _____
 - Ext. Affairs _____
 - Files & Com. _____
 - Gen. Inv. _____
 - Ident. _____
 - Inspection _____
 - Intell. _____
 - Laboratory _____
 - Plan. & Eval. _____
 - Spec. Inv. _____
 - Training _____
 - Legal Coun. _____
 - Telephone Rm. _____

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ALL INFORMATION CONTAINED
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DATE 11/7/00 BY SP8ALM/K

5-ENCLOSURE

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MAIL ROOM TELETYPE UNIT

- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- 1 - Mr. J. G. Deegan

62-116395

January 5, 1976

- 1 - Mr. T. J. Seabaugh

**U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to the December 18, 1975, letter of the SSC as modified at a conference on December 30, 1975, between Messrs. W. O. Cregar and Paul V. Daly of this Bureau and Committee Staff Members Michael Epstein and Mark Gitenstein.

The request, relating to Item 1 in its modified form with respect to each of the examples of effective prevention of violence provided the Committee, pursuant to Mr. John Elliff's letter of November 26, 1975, to Mr. Michael E. Shaheen, Jr., is for access to all material prepared for dissemination by FBI Headquarters which pertained to facts developed for the six-month period prior to the act of violence which was prevented.

Material pursuant to your request is available for access to SSC Staff Members. Because of your desire for a very early review of this material, the available data is only a portion of that requested. We are expediting our review of files, and you will be advised when additional material pursuant to your request is available.

- 1 - The Attorney General

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. **TJS:eks** *ebt*
- Asst. Dir.: **(9)**
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

ORIGINAL AND ONE COPY TO AG

ENCLOSURE

62-116395-1304

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 1/5/75 76

Caption of Document: U.S. SENATE SELECT COMMITTEE.

12/18/75 request, Item 1

Originating Office: FBI

Delivered by: J.P. Stassinios Date: 1/9/76

Received by: Lynsey Carter

Title: Clerk

Return this receipt to the Intelligence Division, FBI

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DATE 11/7/00 BY SP2ALM/CP

ENCLOSURE

62-116395-1304

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

1/5/76

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum and enclosures

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

SSC letter 12/18/75, item 1

C

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Information handling

8. SUMMARY (see reverse side before completing this item)

Materials pertaining to the examples of effective prevention of violence.

ALL INFORMATION CONTAINED
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DATE 11/7/00 BY SP2AM/KP

62-116395

FMK: fmk
(4)

**ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY**

TREAT AS YELLOW

S-AD

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. AD Adm.
- Dep. AD Inv.
- Asst. Dir.: _____
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
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- Inspection
- Intell.
- Laboratory _____
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- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

- 1 - Mr. Mintz
- 1 - Mr. Adams
- 1 - Mr. Wannall

Act

TO : Mr. J. B. Adams

DATE: 1/12/76

FROM : Legal Counsel *JBA*

- 1 - Mr. Cregar
- 1 - Mr. Hotis
- 1 - Mr. Daly

SUBJECT: SENSTUDY 75

Mark Gitenstein, Staff Member of the Senate Select Committee, advised that the Senate Select Committee intends to hold an informal session with Bureau representatives on 1/21/76 to discuss domestic intelligence investigations. Gitenstein expected that the following Senators would be present at this session: Howard H. Baker, Jr.; Philip A. Hart; Walter F. Mondale; Robert Morgan; and Richard S. Schweiker. Gitenstein stated the purposes of the session would be to informally discuss the necessity of domestic intelligence investigations and acquaint the Senators with same. He suggested it might be appropriate for the Bureau to have Branch Chief Hunter E. Helgeson and Section Chiefs Joseph G. Deegan and Robert L. Shackelford as the Bureau representatives at that conference.

H. Helgeson

[Handwritten signature]

RECOMMENDATION:

That the Intelligence Division designate representatives to appear at the aforementioned informal session with the Senate Select Committee.

1/15/76
1/17/76

EX 103

REC-14

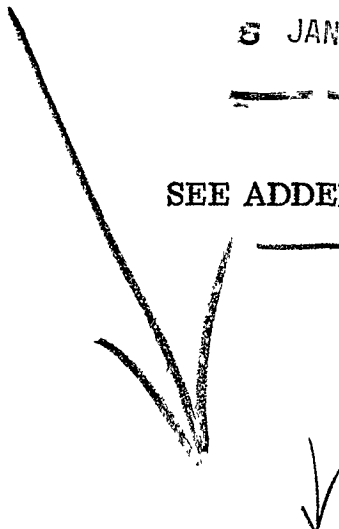
62-116395-1302

5 JAN 20 1976

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SEE ADDENDUM PAGE TWO

PVD:lad *lad*
(8)



Legal Counsel Memorandum to Mr. Adams
Re: SENSTUDY 75

ADDENDUM: INTELLIGENCE DIVISION 1/14/76 HEH:enm

Inspector Helgeson and Section Chiefs Deegan and Shackelford will be available to meet as requested with the Senate Select Committee 1/21/76.

Additionally it is recommended that Inspector John B. Hotis, Legal Counsel Division, attend as he has been working closely with the Department in preparing their guidelines for domestic intelligence investigations and will be in position to answer any questions which might arise concerning that aspect.

HEH
P.L.M.
WBL

Jan
AMPS

I don't see why A D Wannall is not designated - I agree to above and him.

H

Wannall to attend
HEH

William H. Lawrence
4 Swiss Pine Lake Drive
Spruce Pine, N.C. 28777
January 23, 1976

Mr. James B. Adams
Deputy Associate Director
Federal Bureau of Investigation
U.S. Department of Justice
Washington D.C. 20535

ALL INFORMATION CONTAINED
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DATE 11/7/00 BY SP2AMK

Dear Mr. Adams:

Senstive

As a retired F.B.I. agent (1944-1970) and as a U.S. citizen, I deplore the senseless overly critical, repetitiously debasing and dangerous allegations and recriminations currently being waged by certain self-seeking U.S. Congressmen, media people and others against our U.S. intelligence Agencies, particularly the F.B.I. and CIA.

Nevertheless the net harvest of this frenzied distortion adversely affects even our state and local intelligence activities.

It has finally hit close to home. I am enclosing for your information a copy of a clipping from the Asheville Citizen, Asheville N.S., issue of January 16, 1976, captioned: "Sen. Morgan Calls F.B.I. 'Most Dangerous Threat.'" Also enclosed is a copy of the editorial from the January 26, 1976 issue of U.S. News & World Report captioned "Is America Going Mad," which cogently and concisely voices my feelings..

I have reason to believe that the venomous remarks attributed to Senator Morgan, in the enclosed clipping are correctly ^{reported} based on facts being that Asheville TV Station WLOS-TV carried the same remarks in its 5:30 PM, January 15, 1976 newscast.

67-1811-100

I have responded to Senator Morgan, taking care to base my reply on facts which are not confidential or violative of my original oath of office. The reply is based upon documented reference material from newspaper clippings, from Ralph de Toledano's book: J. Edgar Hoover: The Man in His Time (Arlington House) and House Divided - The Life and Legacy of Martin Luther King by Lionel Lokos (Arlington House) along with excerpts from your testimony of November 19, 1975 before the U.S. Senate Select Committee on Intelligence. I thought your testimony was excellent.

FEB 19 1976

I have also responded to the Asheville Citizen in the form of a letter dated January 23, 1976 with copies to WLOS-TV and to the executive Vice President, Asheville Area Chamber of Commerce (Mr. James Ellis, 151 Haywood St., P.O. Box 1011, Asheville, N.C. 28802).

Copies of both letters are enclosed for your information.

ENCLOSURE

I intend to send a copy of the letters to the Ex-RAI Agents "Grapevine" and to Joe Sizoo, Secretary Treasurer, N.C. Chapter of Ex Agents, Whispering Pines, N.C.

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NOT RECORDED

CORRESPONDENCE

Due to the length of the letters, the Asheville Citizen may not print it. Hopefully WLOS-TV will ^{read} it over the air.

I worked for Clarence Kelley in Memphis during 1961, and have the highest respect and reverence for him. No man - no organization

INITIALS ON ORIGINAL

INITIALS ON ORIGINAL

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should in an allegedly civil society receive the type of baseless abuse as exemplified by Senator Morgan's remarks.

I'll ask you one favor; namely, if the opportunity presents itself please give Clarence Kelley my regards, and if you think it proper and advisable from a moral support standpoint, give him copies of my letters.

I shall look forward to meeting and hearing you at the N.C. Ex-agents conference scheduled for Greensboro, N.C. on February 14, 1976.

Very truly yours,

William H Lawrence
William H. Lawrence

FRO

Mailing List
Change Noted
2-24-76 DDD

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DATE 11/7/00 BY SPANKP

Sen. Morgan Calls FBI ^{P 14} ^{Fril-16-76} ^{Asheville} ^{Citizen} 'Most Dangerous Threat'

In a wide-ranging discussion at the Great Smokies Hilton Inn Thursday, U. S. Sen. Robert Morgan said that he considers the Federal Bureau of Investigation the nation's most dangerous threat.

"It's just rotten to the core," he told an assembly of Asheville Area Chamber of Commerce leaders at a breakfast session.

Other topics Morgan talked about were the Presidential race, energy and foreign relations, the Central Intelligence Agency, the U. S. Supreme Court and school busing.

Morgan said the FBI has lied, opened mail, used wiretaps illegally and conducted organized campaigns to discredit

individuals, often with the cooperation of the Internal Revenue Service.

One such collusion involved the FBI's stealing a membership list from Ku Klux Klan headquarters in North Carolina, then having the IRS harrass the members.

He also said that the FBI had tape recordings critical of Dr. Martin Luther King Jr. made to be played for audiences that the late civil rights leader would be addressing.

Hubert Humphrey is the leading contender for the Democratic nomination for the Presidency, Morgan said, and called the former vice president "one of the most winning personalities I've ever known."

Morgan said that he believes the CIA will rebuild and become a good agency. He added that he supported funding CIA operations in Angola.

On energy, Morgan said he was doubtful about breaking up the big oil companies but wondered if they shouldn't be barred from also controlling other types of energy such as coal.

"We're going to have to take some risks if we are going to develop our own sources of energy," he said.

On school busing, the senator said he voted against a bill that would have cut off federal funds to school systems for busing because it would not have changed anything.

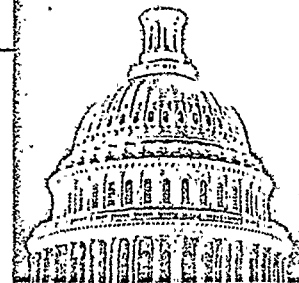
P. 14
JANUARY 16, 1976
"ASHEVILLE CITIZEN"
ASHEVILLE, N.C.

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ALL INFORMATION CONTAINED
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DATE 11/7/00 BY SP2AWM/SP



"IS AMERICA GOING MAD?"

BY HOWARD FLIEGER

The *Daily Telegraph* of London used the above question as the heading over its main editorial on January 3.

The editorial began:

"It is time America's friends spoke out with some nasty questions to the so-called 'liberal' east-coast establishment. By that we mean sections of the press, sections of Congress, television commentators and comedians, university pundits and a lot of other people who may think there is a dollar to be made out of denigrating their country's institutions and leaders."

From that takeoff point, the newspaper's comment went on:

"The United States should know that her European cousins and allies are appalled and disgusted by the present open disarray of her public life. The self-criticism and self-destructive tendencies are running mad, with no countervailing force in sight. . . .

"Please, America, for God's sake pull yourself together."

It is instructive, though painful, to see ourselves through the eyes of others.

Of course, this country is not going mad. But we should not ignore the anxiety about our reliability that is being caused abroad by the present frenzy of faultfinding.

Perhaps one way to soften the impression reflected by the *Daily Telegraph* editorial would be for Congress to start dismantling its investigative hit parade.

Committees have been probing into everything under the sun—producing shock headlines by their reports or because of "leaks" of unauthorized and often unsubstantiated bits of information, much of it trivia.

Undoubtedly, the current enthusiasm for investigations springs from Watergate. And there is much to be said for what was accomplished on Capitol Hill in those days.

In spite of what anybody claims, it was Congress and the courts—not the media—that

really developed the record of secret and sordid goings-on which culminated in the resignation of Richard M. Nixon. It was the diligence and thoroughness of congressional committees and their staffs during weeks of painstaking work that built the case for impeachment.

Certainly, Congress ought to maintain a watchful oversight on the activities and performance of all the departments and agencies of the Government. The public service must be held accountable to the public it serves, and Congress is the proper place to see to it.

But both the quantity and quality of investigations are beginning to raise doubts in the minds of many, including some of the members of Congress.

For example, there have been half a dozen separate investigations of the Central Intelligence Agency—each often calling the same witnesses for the same testimony and going over the same material in hearing after hearing. One begins to wonder how many times a bit of evidence needs repeating.

Another point: In the clamor to investigate things it didn't know about, Congress is exposing its own negligence.

It has always had the power—in fact, the duty—to keep a close watch on the CIA. The fact that some things are being discovered for the first time means that special committees to maintain a continuing oversight on the CIA haven't been doing their job.

A fair question: Is it better to spend hours tilling the soil of earlier faults, or to concentrate on ways to help the Agency function in the future? Once bygone errors have been unearthed, it is hard to see what is gained by rehashing them endlessly.

There is a role—a very important one—for investigations by Congress. But if some on Capitol Hill would pay more attention to current operations of Government, they wouldn't have to concern themselves so much with the happenings of the past.

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ENCLOSURE

William H. Lawrence
314 Swiss Pine Lake Driv
Spruce Pine, N.C. 28777
January 24, 1976

U.S. Senator Robert B. Morgan
Senate Office Building
Washington D.C. 20510

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2AN/KP

Dear Senator Morgan:

I was appalled to read in the January 16, 1976 "Asheville Citizen" a story captioned "Sen. Morgan Calls F.B.I. 'Most Dangerous Threat'" A copy of this news story is enclosed herewith.

This news story reports you as telling the Asheville Area Chamber of Commerce on January 15, 1976, that you considered the Federal Bureau of Investigation to be the nation's most dangerous threat, adding that: "It's just rotten to the core."

Additionally the story quoted you as saying that the F.B.I. has lied, opened mail, used wiretaps illegally and conducted organized campaigns to discredit individuals and that the F.B.I. had tape recordings critical of Dr. Martin Luther King, Jr. made to be played for audiences that the late civil rights leader would be addressing.

By way of introduction, I am a retired F.B.I. agent, having served as an agent from 1944 until retirement in 1970. Nearly twenty-five of those years were spent in domestic intelligence type investigations in the mid-south area.

I, along with many thousands of former F.B.I. agents who comprise the Society of Former Special Agents of the F.B.I., am proud of the privilege of having served our country within the F.B.I.

I can face my Maker with the knowledge and certainty that my investigative activities, as well as those of my fellow agents in the domestic and foreign intelligence field, were honorable, necessary and diligent and concentrated on one solitary and overriding purpose, namely; to protect this country, its people and institutions against the conspiratorial, unrelenting and so-often devious incursions against the safety of this country.

The central question for all of us should be: Has the F.B.I.'s investigations and operations provided the necessary and sufficient protection for the public, a protection to which it is most certainly entitled, in context with a recognition that in any free society there is and should be a prejudice and balance in favor of tolerating all but the most violent attacks on society?

Let us not in our well meaning but sometimes over concern with methods rather than substance, forget that the framers of our constitution were not so sure of the invulnerability of our form of government. Otherwise they would not have placed in its preamble a mandate providing that this government is to insure its domestic tranquility and provide for its common defense. This is a never

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ending challenge and an awesome responsibility.

You, as a citizen and as a U.S. Senator, certainly have every right and duty to follow, comment upon and report on agencies of the executive branch.

My deep concern is that the charges made by you on January 15, 1976, were exaggerated and taken out of context, resulting in your distinguished audience receiving distorted and misleading information which can only cause them as well as the readers of the story to lose confidence in the F.B.I. Once this transpires the entire country suffers. Sources of vitally needed information will evaporate; necessary interdepartmental cooperation will cease, all inuring to the sole benefit of the criminal, revolutionary and terrorist elements in our midst. As a lawyer and former attorney general you must realize this.

Those of us who were in the intelligence community saw and experienced history at close range and know that its actual process of evolution is so very different from what is now being presented to posterity by remarks such as yours on January 15.

The abuses alluded to by you must be reviewed on reflection in context with the times that prompted them; times of bombings, massive riots, destructive confrontations, maimings, snipings and killings, many of which were inspired, initiated and led by avowed revolutionary extremists.

These happenings were a unique, challenging and menacing threat to this country. In fact, many deceased and maimed victims of some of these barbaric acts continue to give mute testimony of their reality a testimony which far too many of us, I fear, have forgotten.

In balance, the nation's need for internal security protection intensified. Old line police investigative techniques could not cope with the problem. It became not a problem of proving criminal violations after the fact, but a problem of developing advance information, developing means of neutralizing and deterring this reasonably anticipated violence.

F.B.I. employees recognized the danger, felt that they had a responsibility to respond and, in good faith, initiated actions designed to counteract and deter these groups and their designs to bring this country to its knees.

Among the counterintelligence measures taken was the now controversial Cointelpro strategy, initiated in May of 1968 and terminated in March, 1971. Moreover, the F.B.I. officials who initiated and directed this program are now deceased or retired. This was over five years ago, yet the enclosed news story has it to read as though it was yesterday.

With regard to the investigation of Martin Luther King, Jr., the basis for that investigation is no secret. It was known to U.S. Presidents John F. Kennedy and Lyndon Johnson, to their Attorney Generals, many members of Congress, numerous concerned Civil Rights leaders as well as to much of the media. The basis was a solemn concern for the extent of communist influence being exerted upon Rev. King plus a concern for the degree of his protracted willingness

to accept this influence, cooperation and support of communists and other elements who were more dedicated to praising and supporting this country's sworn and avowed enemies than in supporting their country of birth or choice of abode.

Moreover many, if not all, of the procedures and methods utilized in this investigation were known to these same U.S. leaders.

In fact, the wiretap on Rev. King was authorized, in writing, by a former U.S. Attorney General, the late Robert Kennedy. The F.B.I. would have been derelict had it not conducted this investigation.

Another question is why do you feel it is so necessary to castigate the current F.B.I. under the able leadership of Clarence Kelley? I know Mr. Kelley and worked under his direct supervision in 1961, immediately prior to his October, 1961 retirement for the purpose of becoming Chief of Police at Kansas City, Missouri. It was only two years ago that Mr. Kelley returned to the F.B.I., this time as its director.

I can certify that Mr. Kelley is an eminently honest, highly competent, dedicated and God fearing man. Moreover he is admired and revered by thousands of local and state police officials throughout the country.

At the risk of being unduly unctuous I submit that instead of attacking the character and integrity of Mr. Kelley and his associates that we should be thankful that a man of his competency and integrity heads the F.B.I.

This is not meant to assume a sacrosanct and pious position; for no organization is perfect, as is no individual.

Our respective judgments as to correct methods of meeting and solving problems may not always be in accord. Moreover as a senator you have a rightful duty to oversee the activities of all agencies of the executive branch.

But please, let us not burn our bridges behind us. Too much is in the balance. Whether we like it or not, the so-called detente has not eliminated our foreign enemies; nor has the world-wide terrorist apparatus ceased to function. Even our friends are worried about our stability. A good example is the editorial in the January 26, 1976 issue of "U.S. News and World Report" captioned, "Is America Going Mad?" a copy of which I'm enclosing for your perusal if you've not already seen it.

It is one thing to try to correct actual shortcomings and tactical errors of our intelligence agencies, including the F.B.I., but it is quite another to wreck and demoralize an agency so vital to this country by publicly labelling it as "rotten to the core" and as "the nation's most dangerous threat."

Whether or not you realize it you have denigrated a fine institution and its thousands of present and past employees.

Frankly I expect more moderation and statesmanship from my U. S. Senator and cannot help but feel that a multitude of your other North Carolina constituents concur in this expectation.

Let us, prayerfully and fervently, terminate these ceaseless self criticism, self destructive tendencies and, in a manner of mutual cooperation and trust, seek out and institute some countervailing and constructive actions before it is too late.

Very truly yours.

William H. Lawrence

31 Swiss Pine Lake Drive
Spruce Pine, N.C.
January 24, 1976

Editor
"Asheville Citizen"
Asheville, North Carolina

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/17/00 BY SPAN/KP

Gentlemen:

I was appalled to read the story, on page 14 of your January 16, 1976 edition, captioned: "Sen Morgan Calls F.B.I. 'Most Dangerous Threat.'" "

This story reported comments made by U.S. Senator Robert Morgan (D., N.C.) to the Asheville Area Chamber of Commerce on January 15, 1976. Therein Mr. Morgan was quoted as saying that he considered the F.B.I. to be the nation's most dangerous threat, adding, "It's just rotten to the core." He elaborated that the F.B.I. has lied, opened mail, used wiretaps illegally and conducted organized campaigns to discredit individuals.

He said that the F.B.I. had tape recordings critical of Martin Luther King, Jr., made to be played for audiences that King would be addressing.

I feel compelled to answer Senator Morgan in an effort to inject some countervailing balance into the Senator's charges. I am a retired F.B.I. agent, with 27 years service prior to my 1970 retirement. Twenty-five of these years were spent in domestic and foreign inspired intelligence type operations.

I, along with many thousands of former F.B.I. agents who comprise the Society of Former Special Agents of the F.B.I., am proud to have had the privilege of serving our country within the F.B.I. ranks.

My response is that the charges made by Senator Morgan were not only grossly exaggerated but taken out of context, resulting in his distinguished audience receiving distorted and misleading information.

Those of us who were in the intelligence community saw and experienced history at close quarters and know that its actual progress and evolution is very different from what is now being presented to posterity by remarks such as those of Senator Morgan.

The abuses alluded to by the Senator must, on reflection, be viewed in context to the times that prompted them; times of bombings, massive riots, destructive confrontations, killings, maimings and peripheral atrocities, many of which were initiated by and led by revolutionary extremists. Nor should we forget the numerous riots, burning and looting of our major cities. These happenings were a new challenging and menacing experience for this country. In fact, many deceased and maimed victims of these barbaric acts continue to give mute testimony, a testimony which far too many of us, I fear, have forgotten.

In balance, the nation's need for internal security protection intensified. F.B.I. employees recognized the danger, felt that they had a responsibility to respond and, in good faith, initiated

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actions designed to neutralize, deter and contain violent activities as well as those threatening impending violence.

Among these counterintelligence steps was the Cointelpro strategy, initiated in May of 1968 and discontinued in March, 1971, nearly five years ago. This program, now deplored by many Congressmen, many in the media and others in public life, did involve programs to disrupt and neutralize certain organizations considered as a threat to our domestic tranquility.

This program was initiated as well as discontinued by officials who are either now deceased or retired.

The central question for all of us should be: Has the F.B.I., with the help of countless dedicated local police agencies and concerned citizens, provided necessary and sufficient protection for the public and country in the domestic intelligence field, in context with a recognition that in any free society there is and should be a prejudice favoring all but the most violent attacks on society?

Remember: The framers of our constitution were not so sure of the invulnerability of our form of government. Otherwise the preamble thereof would not have provided that our government is to take measures to insure its domestic tranquility and provide for its common defense. This mandate is an endless and often awesome responsibility.

With regard to the investigation of Martin Luther King, Jr., the basis for said investigation is no secret. It was known to U.S. Presidents John F. Kennedy and Lyndon Johnson; to their Attorney Generals, to many U.S. Congressmen and even to much of the news media.

The basis was a solemn concern for the extent of communist influence being exerted upon Rev. King and a concern for the degree of his seeming protracted willingness to accept this influence, cooperation and support of communists and other elements who were more dedicated to praising and supporting this country's sworn and avowed enemies than in supporting their country of birth or choice of abode.

Moreover many, if not all of the methods of investigation were known to many of our country's leaders. For example, the wiretap on Rev. King was authorized, in writing, by former U.S. Attorney General, the late Robert Kennedy.

My question is why is it so necessary for Senator Morgan to castigate and Cavile the current F.B.I. under the enlightened and able leadership of Clarence Kelley? I know Mr. Kelley and was privileged to work under his immediate supervision in 1961, immediately prior to his retirement following which he served as Chief of Police at Kansas City, Missouri. It was only two years ago that he returned to the F.B.I., this time as its director.

I can certify Mr. Kelley as an honest, extremely competent, dedicated and God fearing man. At the risk of appearing unduly unctuous I submit that we should be thankful that a man of Mr. Kelley's competence and integrity heads the F.B.I.

This is not to assume a sacrosanct and pious position; for no organization is perfect, as is no individual. Our respective judgments as to the correct methods of meeting and solving problems may not always be in accord.

It is one thing to try to correct actual shortcomings and tactical errors of our intelligence agencies, including the F.B.I.; but, it is quite another to wreck and demoralize an agency, so vital to this country, by publicly labelling it as "rotten to the core" and as "the nation's most dangerous threat."

I expect and feel that I deserve more consideration and statesmanship from my U.S. Senator and cannot help but feel that many of his other constituents concur in this expectation.

William H. Lawrence
514 Swiss Pine Lake Drive
Spruce Pine, N.C. 28777

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

- 1 - Mr. Mintz - Enc.
- 1 - Mr. Adams - Enc.
- 1 - Mr. Wannall - Enc.

DATE: 1/23/76

FROM : Legal Counsel *[Signature]*

- 1 - Mr. Cregar - Enc.
- 1 - Mr. Hotis - Enc.
- 1 - Mr. Daly - Enc.

SUBJECT: SENSTUDY 75

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

Andy Postal, Staff Member of the Senate Select Committee and who has been working closely with Senator John Tower, Vice Chairman of the Senate Select Committee, advised that Senator Tower would like to meet with the Director prior to his testimony on Monday, 1/26/76, to discuss oversight matters and the Director's viewpoint on this topic.

Postal was informally advised of the tone of the Director's statement, intended to be given by the Director before the Senate Committee on Government Operations, and indicated that this was in line with Senator Tower's thinking.

According to Postal, Senator Tower is alarmed that the new committee is being created for oversight in addition to the already existing oversight Committees for the intelligence community and that oversight legislation proposed so far would just create another committee for the Bureau or other agencies to respond to.

Senator Tower is concerned that the FBI, with its wide-ranging investigative responsibilities most of which are not of an intelligence nature, might be forced to report to any new committee created not only on intelligence matters but also on criminal investigative matters. Senator Tower feels that it is next to impossible to separate the intelligence functions of the FBI in the domestic or foreign intelligence area from that of organized crime or other areas of Bureau jurisdiction. He viewed it as highly unlikely that any new committee that might be created would be given exclusive oversight jurisdiction of the FBI or any other segment of the intelligence community.

Enclosure

PVD:lad *[Signature]*
(8)

EX 104

REC-15 62-111375-1301

CONTINUED OVER
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62-98810-1

Legal Counsel to Mr. Adams
RE: SENSTUDY 75

SENATE COMMITTEE ON GOVERNMENT OPERATIONS

Postal also indicated that Senator Tower feels it is appropriate to leave oversight responsibilities with the Senate Judiciary Committee.

Attached for the Director's information is a copy of a statement made by Senator Tower on 1/21/76.

RECOMMENDATION:

That the aforementioned is being set forth for the Director's background for his meeting with Senator Tower which is scheduled for 9:30 a.m. on 1/26/76.

*msc
gma*

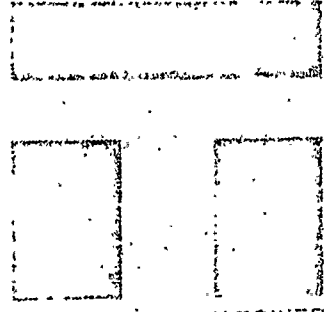
PTT

JTB

JM

Jma

TOWER



NEWS

UNITED STATES SENATOR FOR TEXAS JOHN TOWER
FOR RELEASE AT 10:00 A.M.
WEDNESDAY, JANUARY 21, 1976

ALL INFORMATION CONTAINED
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DATE 3/25/80 BY SGA JAC/ag

STATEMENT BEFORE GOVERNMENT OPERATIONS COMMITTEE
BY SENATOR JOHN G. TOWER
JANUARY 21, 1976

MR. CHAIRMAN, I APPRECIATE THIS OPPORTUNITY TO COMMENT ON THE SENATE'S OVERSIGHT OF THE INTELLIGENCE COMMUNITY OF THIS COUNTRY.

WHILE IN THE STATE OF TEXAS DURING THE HOLIDAY RECESS I TALKED WITH A GREAT NUMBER OF INTERESTED CONSTITUENTS ABOUT THIS VERY MATTER.

THEIR CONCERN WAS CLEAR TO ME -- DO NOT WEAKEN OR DESTROY THE LINCHPIN FOR THE PROTECTION OF THIS COUNTRY -- ITS INTELLIGENCE ARM.

AS YOU KNOW, I SHARE THIS CONCERN. IT WAS THE OVERRIDING FACTOR IN MY DECISION TO ACCEPT A LEADERSHIP ROLE IN THE SELECT COMMITTEE ON INTELLIGENCE.

THE SELECT COMMITTEE HAS PURSUED THE INQUIRY MANDATED BY S. RES. 21 IN A MANNER BEFITTING ITS CRITICAL IMPORTANCE TO THE NATION. BUT IT WAS PERHAPS INEVITABLE THAT THE SURROUNDING EVENTS WOULD GAIN SUFFICIENT MOMENTUM TO POSE THE DANGER OF A PROFOUND ADVERSE IMPACT UPON THE NATION'S INTELLIGENCE CAPABILITY.

PUBLIC RELEASE OF SECRETS BY PAST AND PRESENT GOVERNMENT OFFICIALS -- FORMER EMPLOYEES OF THE CIA WHO SERVED AS AGENTS ABROAD, THE SELECT COMMITTEE'S OWN REPORT ON ATTEMPTED ASSASSINATION OF FOREIGN LEADERS AND "LEAKS" FROM THE CONGRESS ITSELF -- HAS GIVEN THE AMERICAN PEOPLE A SENSATIONALIZED VIEW OF INTELLIGENCE ACTIVITIES OF THE GOVERNMENT.

IT HAS SADLY BECOME FASHIONABLE TO PLAY POLITICS WITH SECRETS. TO DISAGREE WITH A SECRET OPERATION OF THE CIA, ANYMORE, DOES NOT MEAN TO CONSIDER QUIETLY THE COURSES OF ACTION, BUT, RATHER, TO HINT DARKLY OF IT, OR TO DISCLOSE IT TO THE MEDIA.

AGAINST THIS BACKDROP OF SPREADING CONCERN FOR OUR CONTINUING INTELLIGENCE EFFECTIVENESS AND THE CLEARLY MANDATED WILL OF THE SENATE THAT PROBLEMS AND ABUSES BE IDENTIFIED AND CORRECTIVE ACTION RECOMMENDED, WHERE WARRANTED, THE TEMPTATION TO INVOKE EXPEDITIOUS RESOLUTION IS JUSTIFIABLY PRESENT. IT HAS BEEN ARGUED THAT ESTABLISHMENT OF A SINGLE INTELLIGENCE OVERSIGHT COMMITTEE IN EACH HOUSE WOULD LIMIT THE OPPORTUNITY FOR DISCLOSURE WHILE MAXIMIZING THE CHANCES FOR CLOSE MONITORING AND OVERSIGHT OF INTELLIGENCE ACTIVITIES.

THIS APPROACH IS THE CORNERSTONE OF THE POSITION ADVOCATED BY THE CHAIRMAN. I AM NOT PREPARED TO ACCEPT THE LEGISLATION AS DRAFTED BY THE SELECT COMMITTEE BECAUSE I BELIEVE THAT SERIOUS ANALYSIS WILL REVEAL IT TO BE BOTH A PREMATURE AND SIMPLISTIC SOLUTION TO AN EXTREMELY COMPLICATED SET OF PROBLEMS.

IT IS PREMATURE BECAUSE MANY OF THE PROBLEMS IDENTIFIED BY OUR INQUIRY RAISE QUESTIONS OF THE CORRECTNESS OF CURRENT INTELLIGENCE COMMUNITY ORGANIZATION -- PROBLEMS WHICH THE PRESIDENT HAS INDICATED HE WILL ADDRESS IN AN UPCOMING REORGANIZATION PROPOSAL.

IT IS SIMPLISTIC BECAUSE IT ASSUMES THAT INTELLIGENCE ACTIVITIES CAN BE NEATLY DIVORCED FROM OTHER ACTIVITIES OF THE AFFECTED AGENCIES AND DEPARTMENTS AND THAT AN ATTEMPT TO VEST INTELLIGENCE JURISDICTION IN A SINGLE COMMITTEE IS WORKABLE UNDER THE EXISTING JURISDICTIONAL SCOPE OF SENATE COMMITTEES.

NEITHER ASSUMPTION IS CORRECT.

EVERY MEMBER OF THIS PANEL CAN READILY ENVISION THE PROBLEMS WHICH WILL ENSUE WHEN WE ATTEMPT TO EXAMINE IN THE JUDICIARY COMMITTEE THAT PART OF THE JUSTICE DEPARTMENT WHICH RELATES TO THE FBI'S LAW ENFORCEMENT MISSION WHILE AT THE SAME TIME DEALING WITH THE BUREAU'S "INTELLIGENCE ACTIVITIES" IN THE PROPOSED INTELLIGENCE OVERSIGHT COMMITTEE. FOR MONTHS WE HAVE BEEN UNABLE TO DRAW A CLEAR LINE BETWEEN LAW ENFORCEMENT AND SOME "INTELLIGENCE ACTIVITIES". A LABEL ADOPTED FOR THE PURPOSE OF COMPLYING WITH THE AUTHORIZATION PROCESS MANDATED BY THIS DRAFT WOULD DO LITTLE TO IMPROVE THE SITUATION. ANALOGOUS PROBLEMS EMERGE WHEN THE PROGRAMS OF OTHER AGENCIES AND DEPARTMENTS ARE CONSIDERED.

TO SAY THAT THE COMPREHENSIVE PROPOSAL CONSIDERED BY THE SELECT COMMITTEE DOES TOO MUCH IS NOT TO CONDEMN EVERY ASPECT OF IT AND OTHER PROPOSALS UNDER CONSIDERATION BY THIS COMMITTEE.

FOR EXAMPLE WE MUST TAKE CLEAR STEPS TO INSURE THAT NO INDIVIDUAL, INCLUDING MEMBERS OF CONGRESS, MAY UNILATERALLY RESORT TO PUBLIC DISCLOSURE AS A VEHICLE FOR EXERCISING A ONE-PERSON VETO OVER ANY SECRET OPERATION WHICH HE OPPOSES OR FINDS OBJECTIONABLE.

THAT ONE INDIVIDUAL IN THIS SOCIETY COULD SO FRUSTRATE THE PURSUIT OF FOREIGN POLICY IS UNTHINKABLE.

IN ATTEMPTING TO CORRECT ABUSES AND EXAMINE THE PROPRIETY OF INTELLIGENCE PROGRAMS AND ACHIEVE CONSENSUS REGARDING THE PROPER ROLE OF THE LEGISLATIVE BRANCH, WE MUST NOT THROUGH THE PROLIFERATION OF BODIES HAVING ACCESS TO SENSITIVE INFORMATION BECOME THE UNWITTING PARTNERS OF THOSE WHO WOULD COMPROMISE EITHER THE SAFETY OF DEDICATED INTELLIGENCE PERSONNEL OR THE OVERALL CAPABILITY AND CREDIBILITY OF ORGANIZATIONS CHARGED WITH MAINTAINING OUR SECURITY.

RECENTLY, THE CHAIRMAN OF THE SELECT COMMITTEE SPOKE TO ANOTHER ASPECT OF THIS PROBLEM.

HE PROPOSED CRIMINAL SANCTIONS AGAINST FORMER AGENTS OF THE CIA WHO DISCLOSE NAMES OF FELLOW CIA AGENTS.

I ENDORSE THE CHAIRMAN'S APPROACH AND WOULD JOIN HIM IN SEEKING EARLY ENACTMENT OF LEGISLATION CLOSING THE GREAT GAPS IN CURRENT NON-DISCLOSURE SANCTIONS.

GOING BEYOND THE QUESTION OF SUCH SANCTIONS, WE MUST ALSO PROVIDE TO THE CITIZENS OF THIS COUNTRY THE ASSURANCE THAT THE GOVERNMENT'S INTELLIGENCE AGENCIES WILL NOT BE TURNED UPON THEM. BUT JUST AS SURELY MUST WE PROVIDE AN EFFECTIVE MEANS FOR THE PRESERVATION OF INTELLIGENCE ACTIVITIES IN PURSUIT OF AMERICAN FOREIGN POLICY.

THIS WE CAN AND MUST DO.

WHILE I TOO INITIALLY LEANED TOWARD THE CREATION OF A SEPARATE OVERSIGHT COMMITTEE, I AM NOW OF THE VIEW, BASED UPON THE EXPERIENCE OF THE SELECT COMMITTEE'S INQUIRY, THAT HASTE AND SIMPLICITY MAY BE THE ENEMY OF SOLUTION.

THE SELECT COMMITTEE'S FINAL REPORT, WHICH UNDER S. RES. 21 MUST BE MADE AVAILABLE TO THE SENATE AT THE END OF NEXT MONTH WILL BE THE CULMINATION OF A VERY EXTENSIVE INVESTIGATION INTO THE MISDEEDS OF OUR INTELLIGENCE AGENCIES, BOTH DOMESTIC AND FOREIGN. AS ENVISIONED FROM THE OUTSET THE COMMITTEE'S REPORT SHOULD BE OF ASSISTANCE TO THE SENATE COMMITTEES HAVING OVERSIGHT OVER THE VARIOUS AGENCIES CONDUCTING INTELLIGENCE OPERATIONS.

FROM THIS FINAL REPORT IT IS HOPED THAT THE CONSIDERATION OF REMEDIES AND NECESSARY REFORM CAN PROCEED IN A SPIRIT OF POSITIVE COOPERATION WITH THE EXECUTIVE BRANCH.

THIS CONSIDERATION AND COOPERATION SHOULD BE THE PROVINCE OF THE PRESENT STANDING COMMITTEES, WHERE THE REPORT ON INTELLIGENCE OPERATIONS CAN BE VIEWED FROM THE PERSPECTIVE OF THE ROLE INTELLIGENCE PLAYS IN SUPPORTING GOVERNMENTAL OBJECTIVES IN THE AREAS OF NATIONAL DEFENSE, FOREIGN RELATIONS, AND INTERNAL SECURITY.

AT THE VERY LEAST WE SHOULD NOT BEGIN, AS THE PROPOSED SELECT COMMITTEE DRAFT BILL DOES, WITH THE ASSUMPTION THAT THESE BODIES ARE INCOMPETENT TO PURSUE IMPLEMENTATION OF THE FINDINGS AND RECOMMENDATIONS OF THE SENATE SELECT COMMITTEE.

TO DISAGREE WITH THIS PROPOSAL FOR ANOTHER COMMITTEE IS NOT TO DISAGREE WITH THE PRINCIPLE OF OVERSIGHT. EXISTING COMMITTEES CAN AND SHOULD PERFORM REQUIRED OVERSIGHT.

FURTHER, TO TREAT INTELLIGENCE ACTIVITIES OF OUR GOVERNMENT AS SOMETHING THAT CAN BE SEPARATED FROM THESE PRIMARY GOVERNMENTAL PURPOSES MAY WEAKEN THE ABILITY OF THESE COMMITTEES TO OBTAIN THE VALUABLE INFORMATION THEY NEED TO MAKE THE CRITICAL DECISIONS IN THEIR RESPECTIVE AREAS.

THIS SAME ISSUE OF THE EXTENSIVE SUPPORT THAT OUR INTELLIGENCE AGENCIES PROVIDE TO OTHER BRANCHES AND DEPARTMENTS ALSO HAS A PRACTICAL EFFECT. IT IS UNCLEAR IN THE SELECT COMMITTEE'S BILL WHICH COMMITTEE OF THE SENATE WOULD HAVE JURISDICTION OVER PROGRAMS THAT HAVE A PRIMARY MISSION OF NATIONAL DEFENSE AS WELL AS AN INCIDENTAL, BUT HIGHLY IMPORTANT, INTELLIGENCE MISSION. BECAUSE OF THE SENSITIVE NATURE OF THESE MATTERS, I CANNOT ELABORATE ON THIS QUESTION IN THIS OPEN SESSION BUT SUGGEST TO YOU THAT THE THREE COMMITTEES PRESENTLY SHARING INTELLIGENCE OVERSIGHT BE CONSULTED PRIVATELY.

ANOTHER AREA FOR CONCERN IS THE PRINCIPLE ADVANCED IN THE CURRENT DRAFT OF THE PROPOSED BILL WHICH ALLOWS PUBLIC DISCLOSURE OF TOP SECRET INFORMATION IF THE COMMITTEE DEEMS IT IN THE NATIONAL INTEREST AND THE SENATE BY A SIMPLE MAJORITY AGREES.

I WOULD OPPOSE ANY EFFORT ON THE PART OF THE LEGISLATIVE BRANCH TO REQUIRE PRIOR NOTICE, CONSULTATION OR APPROVAL BEFORE THE INITIATION OF SECRET OPERATIONS IN A FOREIGN COUNTRY IN SUPPORT OF FOREIGN POLICY. SUCH A GRANT OF AUTHORITY TO ANY COMMITTEE WOULD CLEARLY IMPAIR THE PRESIDENT'S CONSTITUTIONAL DUTY TO

IN HIS STATE OF THE UNION ADDRESS PRESIDENT FORD REJECTED SUCH INTRUSIONS INTO THE EXECUTIVE'S TRADITIONAL ROLE CITING THE INTENT OF THE FRAMERS OF THE CONSTITUTION. HE STATED:

"THE FOREIGN RELATIONS OF THE UNITED STATES CAN BE CONDUCTED EFFECTIVELY ONLY IF THERE IS STRONG CENTRAL DIRECTION THAT ALLOWS FLEXIBILITY OF ACTION. THAT RESPONSIBILITY CLEARLY RESTS WITH THE PRESIDENT."

IN CONCLUSION, MR. CHAIRMAN I COMEND TO YOU THE FUNCTIONING OF THE U. S. INTELLIGENCE COMMUNITY. THE SELECT COMMITTEE HAS FOUND THE CIA, THE DEFENSE INTELLIGENCE AGENCY, THE NATIONAL SECURITY AGENCY AND OTHERS TO HAVE PEOPLE WHO SERVE IN A HIGHLY PROFESSIONAL AND DISCIPLINED MANNER WHO ARE CONCERNED ABOUT THE PROTECTION OF THIS COUNTRY'S SECRETS, AND AN EFFECTIVE AND RESPONSIBLE INTELLIGENCE CAPABILITY.

THE SELECT COMMITTEE AND THE PUBLIC HAVE BEEN TOLD THAT IN SPITE OF THEIR DISCIPLINE THE MORALE OF THE STAFFS OF THESE AGENCIES IS AT AN ALL-TIME LOW, AND THEIR EFFECTIVENESS BOTH HERE AND ABROAD, HAMPERED.

ALL THAT I SUGGEST IS THAT THE SENATE DELIBERATIONS THAT EFFECT THE COMMUNITY NOT IN ANY WAY CONTRIBUTE TO THIS PRESENT, AND, I HOPE, TRANSITORY PROBLEM. THE QUESTIONABLE PRACTICES THAT CAME TO THE ATTENTION OF THE SELECT COMMITTEE AFTER THE MOST EXTENSIVE INVESTIGATION EVER OF A GOVERNMENT ORGANIZATION, HAVE BEEN THE RARE EXCEPTION, RATHER THAN THE RULE.

WE CANNOT SACRIFICE THE DEFENSE OF OUR NATION FOR YEARS TO COME BASED UPON MOMENTARY CONCERN OVER WHAT APPEAR TO BE ABERRATIONS IN OUR EXPERIENCE WITH OUR INTELLIGENCE STRUCTURE.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel *JM*

SUBJECT: SENSTUDY 75

- 1 - Mr. Mintz
- 1 - Mr. Wannall

DATE: 1/19/76

- 1 - Mr. Cregar
- 1 - Mr. Hotis
- 1 - Mr. Daly

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

On 1/16/76, Michael Epstein of the Senate Select Committee requested that Ronald E. Thompson be made available for Staff interview concerning his knowledge of telephone monitoring procedures in the Director's Office.

RECOMMENDATION:

That Ronald E. Thompson be released from any existing employment agreement for purposes of Staff interview before the Senate Select Committee concerning the aforementioned topic.

Representative
from Off. Cons Aff.
will be present
1/23/76
JEF

1 - Personnel File - Ronald E. Thompson

REC-15 62-116375-1299

JAN 28 1976

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DATE 11/1/00 BY SP2ALM/KP

lad
(9)

*Review to Mintz and
advise me of any
objections to
this recommendation.
If you have any
objections, please
advise me by 1/23/76.
JEF*

PLAINTEXT

TELETYPE

- Wannall
- 1 - Mr. Cregar
- 1 - Mr. Mintz
- 1 - Mr. Hotis
- 1 - Mr. Daly
- 1 - Mr. Coulson

URGENT

1/21/76

TO: SAC SAN DIEGO

FROM: DIRECTOR FBI

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

SENSTUDY 75

JAN 21 1976
DLS 5:37 PM

TELETYPE

REFERENCE BUREAU TELETYPE TO ALL SPECIAL AGENTS IN CHARGE DATED MAY 2, 1975, CAPTIONED "SENSTUDY 75," BUREAU TELETYPE TO ALL SPECIAL AGENTS IN CHARGE DATED SEPTEMBER 18, 1975, CAPTIONED "SENSTUDY 75."

BUREAU TELEPHONE CALL TO SAN DIEGO JANUARY 20, 1976.

MICHAEL MADIGAN, STAFF MEMBER SENATE SELECT COM-

MITTEE, HAS ADVISED THAT HE WILL BE IN SAN DIEGO, CALIFORNIA, ON JANUARY 22, 1976, AND DESIRES TO INTERVIEW

SPECIAL AGENTS C. JORDON NAYLOR AND EARL M. PETERSEN OF THE SAN DIEGO DIVISION AND FORMER SPECIAL AGENTS

EUGENE F. OLSEN AND ROBERT S. BAKER RESIDING IN THE SAN DIEGO AREA. THESE INTERVIEWS WILL BE CONFINED TO THE

AREA OF THE "SECRET ARMY ORGANIZATION" AND TO INFORMATION GIVEN BY HOWARD BARRY GODFREY, FORMER BUREAU

INFORMANT.

REC-50 64-1163-1298

5 JAN 26 1976

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
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- Spec. Inv. _____
- Training _____
- Legal Coun. _____

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See Note, Page 2

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M

SPECIAL AGENTS NAYLOR AND PETERSEN AND FORMER SPECIAL AGENTS OLSEN AND BAKER ARE RELEASED FROM THEIR EMPLOYMENT AGREEMENT TO GIVE STATEMENTS CONCERNING THE TOPICS MENTIONED ABOVE.

SAN DIEGO SHOULD ADVISE FORMER SPECIAL AGENTS OLSEN AND BAKER TO EXPECT TO BE CONTACTED BY MICHAEL MADIGAN.

ALL OF THESE MEN SHOULD BE ADVISED THAT STATEMENTS GIVEN TO THE COMMITTEE STAFF ARE VOLUNTARY. THEY HAVE A RIGHT TO AN ATTORNEY AND IF THEY DESIRE ONE THEY SHOULD NOTIFY FBI HEADQUARTERS, ATTENTION, OFFICE OF LEGAL COUNSEL.

FOR FURTHER INFORMATION SEE REFERENCED TELETYPES.

ANY QUESTIONS REGARDING THEIR INTERVIEWS SHOULD BE REFERRED TO FBI HEADQUARTERS, OFFICE OF CONGRESSIONAL AFFAIRS.

NOTE: This teletype will act as authority to release the above mentioned agents and former agents from existing employment agreement. Reference teletypes contain full information concerning interviews. This matter has been coordinated with the Intelligence Division.

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. W. R. Wannall *WRW*

FROM : J. G. Deegan *JGD*

SUBJECT: U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

- 1 - Mr. J. B. Adams
 - 1 - Mr. J. A. Mintz
 - 1 - Mr. W. R. Wannall
 - 1 - Mr. W. O. Cregar
- DATE: 1/15/76
- 1 - General Investigative Division
 - 1 - Mr. J. G. Deegan
 - 1 - Mr. J. T. Aldhizer

Assoc. Dir. _____
 Dep. AD Adm. *[initials]*
 Dep. AD Inv. *[initials]*
 Asst. Dir.: _____
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection *[initials]*
 Intell. *[initials]*
 Laboratory _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Legal Coun. _____
 Telephone Rm. _____
 Director Sec'y _____

On 1/2/76 Dr. Joseph William Magee, a former FBI Special Agent who retired in 1965, was interviewed by SSC Staff Member Michael Epstein. During this interview Magee told Epstein of his recollection of an obscure news story of an event in North Carolina a number of years ago when it was developed that some of Martin Luther King's associates had illegally sold a number of rental automobiles and that the news account indicated that no prosecution was authorized by the Department of Justice, possibly on the basis that the Department of Justice did not then want to disrupt the civil rights activities of King's associates.

Mr. Wannall advised that Mr. Adams requested information in Bureau files relating to the above statement by former SA Magee. Intelligence Division personnel handling SSC requests regarding Martin Luther King, Southern Christian Leadership Conference (SCLC) and related files were canvassed and it is believed the below incident is the one to which Magee is referring in his statement.

Bureau file 26-355537 captioned "Harold Belton Andrews; aka, et al; ITSMV; ITSP-Conspiracy" contains results of ITSMV investigation by Atlanta wherein the principal subject Andrews allegedly stole four automobiles for subsequent sale to the SCLC, headed by King. Investigation disclosed one of these stolen vehicles had been in possession of Hosea Williams, Director of Voter Registration of SCLC. Due to the ramification involving SCLC and the civil rights movement, the Criminal Division of the Department of Justice directed prosecution in the case rather than the U. S. Attorney in Atlanta.

62-116395
26-355537

Enclosure

JTA:adn
(9)

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JAN 23 1976

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26-355537-1

Memorandum to Mr. W. R. Wannall
Re: U. S. Senate Select Committee
On Intelligence Activities

During investigation Andrews alleged the automobiles were sold at well below the market value and that he was assisted in the operation by Morris Finley, an associate of Williams. Andrews and Finley were convicted on ITSP charges in 1966 but Williams was not prosecuted or indicted. The Department of Justice considered presentation of evidence against Williams to a Federal Grand Jury, however, in 1967 the FBI was advised by the Criminal Division of the Department that the Department and the Assistant U. S. Attorney in Atlanta were in agreement that the evidence obtained against Williams was largely undocumented, oral in nature and of insufficient strength to warrant prosecution. The investigation was closed.

It is also noted that on 6/20/66 our telephone surveillance of SCLC was discontinued upon receipt of instructions from Attorney General Nicholas de B. Katzenbach. Katzenbach was concerned about jeopardizing the possible prosecution of Williams on ITSMV charges in connection with the Andrews case.

The ITSMV investigative file contains an article by Drew Pearson and Jack Anderson in which Andrews alleges Department prosecutors tried to persuade him not to testify because it might cause a revolution in this country if high officials in SCLC were arrested. A copy of this article is attached.

ACTION:

For information.

gta *Pen* *woc/B* *wew*
TJM *Pen* *gma*

- DeLoach _____
- Mohr _____
- Bishop _____
- Casper _____
- Callahan _____
- Conrad _____
- Felt _____
- Gale _____
- Rosen
- Sullivan _____
- Tavel _____
- Trotter _____
- Tele. Room _____

File 44
26-355537-1
SJK

H. P. ...
H. P. ...

26-355537-4
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The Washington Merry-Go-Round

THE WASHINGTON POST Wednesday, June 26, 1968 B11

Hosea Williams Called for Violence

By Drew Pearson
and Jack Anderson

To a large extent, the Resurrection City rebellion was encouraged by scripture-quoting, psalm-singing Hosea Williams, the direct action leader, who had been clamoring for violence from the beginning.

Before his demonstrators swarmed into the Agriculture Department for their first confrontation with police, they huddled with Williams for last-minute instructions. Federal authorities ordered restraint.

They also ordered restraint two years earlier when the FBI linked Williams with an auto-theft ring. The Justice Department sent three attorneys to Atlanta to make sure the case was handled delicately.

A Justice Department spokesman told us that there was insufficient evidence to prosecute Williams. The trial attorney, Allen Chancey of Goodson's office, agreed.

"The case against Hosea Williams," Chancey told us, "depended entirely upon the testimony of a convicted car thief."

We reported as early as April 22, that Williams was urging the Southern Christian Leadership Conference to overturn the late Dr. Martin Luther King's nonviolent policy.

at Resurrection City: "The picnic is over. We are coming out of these shacks. Police will have a chance to use their billy clubs."

The same Hosea Williams was caught in 1966 with the keys to a stolen car in his possession. He swore that he had no idea the car was stolen. But the confessed thief, Harold Andrews, told the FBI a different story.

He claimed he had made a deal with a middle man, named Morris Finley, to deliver 17 stolen cars complete with false registration papers to the Southern Christian Leadership Conference. Williams was in charge of auto purchases for the organization's voter registration drive.

As it happened, Andrews produced only four cars, which he stole from auto agencies at Washington National Airport, Newark, N.J., Daytona Beach, Fla., and Atlanta. He equipped these with stolen license plates, forged registration cards and phony bills of sale.

He swore to the FBI that he sold the hot cars for only a fraction of the amounts shown on the bills of sale. Williams asked him to pad the bills of sale. Andrews said, to cover shortages in the SCLC books.

For several weeks, Andrews cooperated with the FBI in making a case against Williams and Finley. The FBI monitored phone calls, for example, between Andrews and Finley. Williams' name was

prominently mentioned in the conversations.

Justice Intervenes

When the case was presented to the grand jury the Justice Department took it out of the hands of the local U.S. Attorney and sent three special attorneys to Atlanta. The grand jury indicted Andrews and Finley, completely ignored Hosea Williams.

U.S. Attorney Charles Goodson said the Justice Department had never perviously intervened in a stolen-car case during his tenure in Atlanta. Andrews' attorney, William Q'Kelley, who spent two years in the U.S. Attorney's office, said he had handled every stolen-car prosecution during the 1959-61 period.

"The Justice Department," he told us, "didn't attempt to advise me in a single case, including one that involved 100 cars from all over the United States and Mexico."

At the trial, Andrews took the witness stand in his own defense and repeated under oath his charge that Williams had made the deal for the stolen cars. Andrews also told the jury that the special Justice Department prosecutors "on three different occasions" had tried to persuade him not to testify.

"They said it might cause a revolution in this country if these high officials in SCLC were arrested," he declared from the stand.

Judge Sidney O. Smith re-

fused to accept evidence that might have implicated Williams. The trial was not concerned, the Judge said, with the decision about who should have been prosecuted.

"The decision disturbs me," he said, "but it's not my problem. Whoever made the decision will have to live with it."

Note: Both Andrews and Finley were convicted.

Gas Line Safety

A showdown as to whether the 700,000-mile network of pipeline criss-crossing the USA will be carefully inspected comes up in the House of Representatives today. Upon the outcome will depend whether or not more pipeline explosions will endanger nearby homes.

The lobbyists have been working overtime to kill the tougher Senate version of the Pipeline Safety bill, and have succeeded in the House Commerce Committee. Recently they have been getting local utility companies to pressure their Congressmen. They also have Reps. James Broyhill, Republican, and Horace Koren gay, Democrat, both of North Carolina, as their spokesmen.

A drive will be made on the House floor by Reps. John Moss, Calif., John Dingell, Mich., Brock Adams, Wash., Joseph Vigorito, Pa., and Richard Ottinger, N.Y., all Democrats, to strengthen the weak House bill.

62-116395-1296

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. R. D. Hampton
January 23, 1976

The Attorney General

Director, FBI

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to SSC letter dated January 15, 1976, containing a request for delivery of certain FBI materials.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum which is our response to Part II of the above request. Also enclosed for your records is a copy of this memorandum.

Enclosures (2)

62-116395

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2AMK/

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

RDH:1hb/lhb
(9)

REC-14

62-116395-1295

5 JAN 27 1976

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____

6-11-76
edm

K/
W.R. Wannall
J.R. [unclear]
4863 [unclear]
W.O. Cregar
W.O. Cregar
1/23/76
5:25 pm [unclear]

- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- 1 - Mr. R. D. Hampton

62-116395

January 23, 1976

**U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to SSC letter dated January 15, 1976, containing a request for delivery of certain FBI materials concerning FBI investigation of the Sugar Lobby.

This memorandum effects delivery of material responsive to Part II.

1 - The Attorney General

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2AMK

RDH:1hb/hb

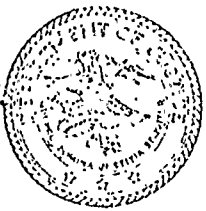
(8) ORIGINAL AND ONE COPY TO AG

NOTE:

A copy of referenced request is attached to the file copy of this memorandum. A set of the materials being delivered is being retained by the Senstudy Project.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

WRC/ral
WOS
JBA
WOC/B
1295
11-27



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

Handwritten signature

JAN 19 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

Mika

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Letter Dated January 15, 1976

Attached is a letter from the SSC dated January 15, 1976. Please arrange for an appropriate response to Parts 2 and 3 of this letter. We have asked the Attorney General's Office to arrange for a response to Part 1.

*Revised
BOC
10:45 am
1/20/76
WSP*

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/100 BY SP2AM/KP

cc: Paul Daly

Handwritten signature



62-114575-1295

FRANK CHURCH, IDAHO, CHAIRMAN

JOHN G. TOWER, TEXAS, VICE CHAIRMAN

PHILIP A. HART, MICH.

HOWARD H. BAKER, JR., TENN.

WALTER F. MONDALE, MINN.

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CHARLES McC. MATHIAS, MD.

ROBERT MONTAGN, N.C.

RICHARD S. SCHWEIKER, PA.

GARY HART, C. 10.

WILLIAM G. MILLER, STAFF DIRECTOR

FRANK A. O. SCHWARZ, JR., CHIEF COUNSEL

CURTIS H. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO STUDY GOVERNMENTAL OPERATIONS WITH RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

January 15, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 1/17/00 BY SP2ALM/08

Dear Mike:

This request for materials for delivery to the Senate
Select Committee is in three parts.

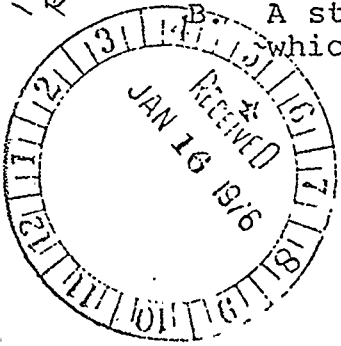
Part I

A. A summary of pertinent information regarding the elec-
tronic surveillances referred to in the Justice Depart-
ment memorandum filed in the case of Szulc v. Erhlichman
on December 12, 1975, at page 26. The memorandum reads
as follows:

. . . the Attorney General, on at least one
occasion following the decision in Zweibon,
has authorized an application, and has re-
ceived a judicial warrant, for a foreign
intelligence surveillance in exigent circum-
stances in which the surveillance was deemed
necessary for foreign intelligence purposes
but the information available was not deemed
sufficient to satisfy the requirement that
the subject or subjects of the surveillance
was or were agents of, or active collabora-
tors with, a foreign power or a foreign
political party.

B. A statement of the policies of the Attorney General
which are reflected in these electronic surveillances.

let to AG 1-DAG
RDH:hb 1/23/76 Enc 2



62-116395-1295

January 15, 1976

Part II

- Supra*
- A. The Sizoo to Belmont memorandum of February 10, 1961, regarding Hoover-Kennedy discussion.
 - B. The FBI memoranda submitted to the Attorney General on or before February 10, 1961, referred to in item A above.
 - C. The Evans to Parsons memorandum of April 15, 1961, regarding termination of "intensive coverage".
 - D. The Wannall to Sullivan memorandum of November 21, 1966, and all materials summarized therein.
 - E. Any memoranda prepared for the Attorney General, the Deputy Attorney General, or the Associate Deputy Attorney General in 1974-1975 pertaining to the above.
 - F. Any memoranda submitted to the Attorney General on or shortly before February 16, 1961, referring to Mrs. Christine S. Gallagher.
 - G. All material similar to the above pertaining to the reasons for and termination of the electronic surveillances of Mrs. Gallagher and others authorized by the Attorney General on June 26, 1962.
 - H. Any additional materials reflecting the guidance or interest of the Attorney General, the President, or the State Department with respect to the electronic surveillances of Mrs. Gallagher, the Agriculture Department officials, and the lobbyists involved in the above.
 - I. Materials pertaining to any other instances where a member of Congress or a Congressional staff member has been the subject of non-consensual warrantless FBI electronic surveillance.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/1/00 BY SP2ALM/KP

62-116395-1295

January 15, 1976

Part III

- A. A summary of material upon which the FBI has based its assessment of the potential for terrorist violence in connection with the Bicentennial.
- B. A summary of the FBI's intelligence-gathering activities used to collect the material upon which the above assessment is based.
- C. A description of the organization of the FBI Intelligence Division for the supervision of intelligence activities pertaining to terrorism.
- D. A description of the types of information requested and received from other agencies, including other federal agencies, state and local agencies, private agencies, and foreign government agencies, regarding terrorist activities.
- E. A description of the practices and procedures of the FBI for assessing intelligence about terrorist activities.
- F. A description of the practices and procedures of the FBI for the dissemination of assessments and/or intelligence regarding terrorist activities, including the identities of federal agencies and the types of other agencies to whom the assessments and/or intelligence are disseminated.

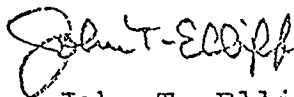
The Committee also requests that the information under Part III be covered in a staff briefing on or before January 23, 1976. This information will also be covered in the executive session hearing scheduled for January 27, 1976.

Michael E. Shaheen, Jr., Esq.
Page Four

January 15, 1976

The desired deadline for delivery of material in Parts I and II is on or before January 22; the deadline for delivery of the material in Part III will be determined by staff discussions.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 1/23/76

U. S. Senate Select Committee (SSC).
Caption of Document: (SSC letter 1/15/76, Part II)

Originating Office: FBI

Delivered by: J. Stammer Date: 2/6/76

Received by: Carla Schwartz

Title: Clerk

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2ALM/KP

TO: Intelligence Community Staff ATTN: Central Index	FROM: FBI										
SUBJECT: Abstract of Information Provided to Select Committees											
1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)											
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width:20%;">DOCUMENT</td> <td style="width:5%;"></td> <td style="width:15%;">BRIEFING</td> <td style="width:5%;"></td> <td style="width:15%;">INTERVIEW</td> <td style="width:5%;"></td> <td style="width:15%;">TESTIMONY</td> <td style="width:5%;"></td> <td style="width:15%;">OTHER</td> </tr> </table>		<input checked="" type="checkbox"/>	DOCUMENT		BRIEFING		INTERVIEW		TESTIMONY		OTHER
<input checked="" type="checkbox"/>	DOCUMENT		BRIEFING		INTERVIEW		TESTIMONY		OTHER		
2. DATE PROVIDED 1/23/76											
3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)											
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:5%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width:15%;">SSC</td> </tr> <tr> <td style="width:5%;"></td> <td style="width:15%;">HSC</td> </tr> </table>		<input checked="" type="checkbox"/>	SSC		HSC						
<input checked="" type="checkbox"/>	SSC										
	HSC										
4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)											
<p>Memorandum and enclosures</p>											
5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)											
<p>SSC request 1/15/76, Part II</p>											
6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)											
<p>U</p>											
7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)											
<p>Intelligence Collection Information Handling</p>											
8. SUMMARY (see reverse side before completing this item)											
<p>Material provided concerning investigation of Sugar Lobbying Activity.</p>											
<p>ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE <u>11/7/00</u> BY <u>SP2AUM/KP</u></p>											
<p>62-116395</p>											
<p>AJD:1hb ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX (4) IN CONNECTION WITH SENSTUDY 75.</p>											
<p>TREAT AS YELLOW</p>											

5-7-76

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

RE - HOUSTUDY 62-116464-

OR

SENSTUDY 62-116395-1295

NOTE: THIS IS A PERMANENT CHARGE OUT FOR A XEROX COPY/COPIES OF "JUNE" MAIL THAT WAS INCLUDED IN COPIES OF FBI DOCUMENTS FURNISHED TO THE ATTORNEY GENERAL BY MEMO/LETTER DATED 1-23-76 IN RESPONSE TO REQUEST(S) MADE BY EITHER THE U. S. SENATE OR HOUSE SELECT COMMITTEES ON INTELLIGENCE. THE COPY/COPIES OF THE "JUNE" MAIL DATED AS INDICATED BELOW HAS/HAVE BEEN REMOVED FROM THIS ENCLOSURE MATERIAL TO BE FILED IN THE APPROPRIATE HOUSTUDY OR SENSTUDY "JUNE" FILE INDICATED ABOVE, LOCATED IN THE SPECIAL FILE ROOM OF THE RECORDS SECTION.

DATE(S) OF MAIL: 2-2-61REMOVED BY: W. andrew DATE REMOVED: 10-6-76

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2MKE

- 2 - Mr. J. A. Mintz
(1 - J. B. Hotis)
- 1 - Mr. W. R. Wannall

The Attorney General

February 5, 1976

Director, FBI

62-116395-1294X

- 1 - Mr. W. O. Cregar
- 1 - Mr. J. G. Deegan
- 1 - Mr. E. F. Glenn
- 1 - Mr. S. Klein

REC-60
U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to the January 20, 1976, SSC letter forwarded from the Department of Justice by letter dated January 21, 1976, containing requests for information from the FBI.

Enclosed for your approval and forwarding to the Committee is the original of a memorandum which is responsive to some of the requests.

A copy of the memorandum is being furnished for your records along with a set of the materials to which SSC access is to be considered by the Department of Justice.

Enclosures (2)

62-116395

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2AWK/P

1 - Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

SK:k1m
(11)

SEE NOTE PAGE 2

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____

*Original Special Phillips
by SA [unclear] 4-76*

ENCLOSURE IN BULKY ROOM

JMA
WRC/6
PUN
JMA

5.7 P [unclear]
4063 [unclear]

to Com...

The Attorney General

NOTE:

The material prepared for access to the SSC represents a portion of that requested in SSC letter dated 1/20/76. Other portions have been responded to separately. Copies of documents we propose for access to the SSC are being forwarded to the Department for approval prior to advice to the SSC. This is based on the fact that these documents might affect a civil suit of which the Department has an interest (Peter Bohmer, et al., v. Richard Milhous Nixon, et al. (U.S.D.C., S. D. California) Civil Action No. 7S-4-T.). Attached below the yellow of the enclosed LHM is a copy of the SSC request dated 1/20/76.

62-116395

- 2 - Mr. J. A. Mintz
(1 - J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- 1 - Mr. J. G. Deegan
- 1 - Mr. E. F. Glenn

February 5, 1976

- 1 - Mr. S. Klein

**U. S. SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES (SSC)**

Reference is made to the January 20, 1976, letter of the SSC containing requests for information from the FBI.

This memorandum is in response to Items 2 and 3 of that letter which requested access to material pertaining to Howard Barry Godfrey and the Secret Army Organization.

All pertinent communications responsive to Items 2 and 3 as delineated above are available for review at FBI Headquarters by appropriately cleared SSC Staff Members.

1 - The Attorney General

SK:klm
(10)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2ALM/STJ

ORIGINAL AND ONE TO AG

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
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- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

ENCLOSURE

Handwritten notes and signatures:
woc
Jm
pur
62-116395-1294X

MAIL ROOM

TELETYPE UNIT

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 2/4/76

Caption of Document: U. S. SENATE SELECT COMMITTEE

1/20/76, items 2 and 3

Originating Office: FBI

Delivered by: Jo Stassinis Date: 2/11/76

Received by: Michael Murphy

Title: Club

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2ALM/GP

ENCLOSURE

62-116395-1294X

TO: Intelligence Community Staff
ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED

2/5/76

DOCUMENT BRIEFING INTERVIEW TESTIMONY OTHER

3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 1/20/76, Items 2 and 3

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

**Information Handling
Operating Procedures**

8. SUMMARY (see reverse side before completing this item)

Memorandum stating access given to material regarding former FBI informant and the Secret Army Organization.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SPRAUNK

62-116395

**SJM:lhb
(4)**

**ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
IN CONNECTION WITH SENSTUDY 75.**

TREAT AS YELLOW

5-778

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

JAN 21 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

MAKE by
SB

SUBJECT: SSC Letter Dated January 20, 1976

Attached is a letter dated January 20, 1976, from the Senate
Select Committee requesting access to and delivery of various FBI
materials. Please arrange for an appropriate response.

DM

62-116395-1294X

REC-60

MAR 5 1976

1 ENCLOSURE

Letter to [unclear]
D/6/76 SHARON

cc: Paul Daly

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2ATM/KP

5-1 [unclear]
5-B

"ENCLOSURE IN BULKY ROOM"



United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES
(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

January 20, 1976

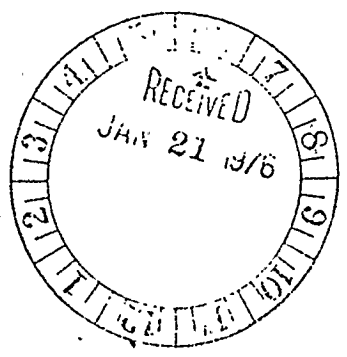
Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

Dear Mike:

The Select Committee requests the following materials for access or delivery as appropriate:

1. Access to all material furnished to the FBI by the CIA from a source known to the FBI as "COLGS" and who was handled as a source under the heading "racial extremist matters". The initial access should concentrate on material received in the period June 1970 to June 1971. This source reported primarily on the Black Panthers. The CIA has already given the Committee staff access to the material in their possession relating to this source.
2. Access to all materials pertaining to Howard Berry Godfrey, previously identified to the Committee and in public as an FBI informant, during the period 1967-1972.
3. Access to all materials pertaining to the group in California known as the Secret Army Organization.
4. Delivery of all materials pertaining to the unlawful entry conducted against domestic surveillance target in October 1963 referred to in FBI memorandum dated January 13, 1976.

*Correct spelling
Berry*



ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/17/00 BY SP/ALM/EP

62-116395-1294X

ENCLOSURE

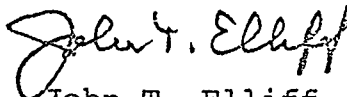
Michael E. Shaheen, Jr.

Page 2

January 20, 1976

Please advise FBI liaison with the Committee to notify Mr. Burt Wides of the staff when access to Item 1 is ready, Mr. Mike Madigan of the Committee staff when access to Items 2 and 3 are ready, and myself if there are any problems with delivery requested in Item 4.

Sincerely,



John T. Elliff

Director

Domestic Intelligence Task Force

UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

1 - Mr. Mintz
1 - Mr. Hotis
1 - Mr. Daly
DATE: 1-21-76

FROM : Legal Counsel *JMA*

SUBJECT: FBI CHARTER REFORM CONFERENCE
AMERICAN UNIVERSITY
JANUARY 16 AND 17, 1976

Assoc. Dir.	_____
Dep. AD Adm.	_____
Dep. AD Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Syst.	_____
Ext. Affairs	_____
Files & Com.	_____
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Intell.	_____
Laboratory	_____
Legal Coun.	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Telephone Rm.	_____
Director Sec'y	_____

During conversation with Alan Parker, Chief Counsel, House Subcommittee on Civil and Constitutional Rights, concerning the Director's testimony of 2-3-76, Parker informed SA Paul V. Daly of the fact he attended captioned conference along with many other representatives of various Congressional committees. Parker said that he was very impressed with the presentation and responses given by the Bureau's representative, Inspector John B. Hotis. Parker thought the conference was beneficial and that Inspector Hotis' explanations and responses to various questions and issues raised were excellent. He further stated that this view was shared by others in attendance. He based this on conversations he has had with other Congressional staff members subsequent to the conference.

RECOMMENDATION:

None. For information.

1/23 3/4/PVD
JMA
JHB
PA
Don
PA
JMA

EX-112
REC-141

62-116395-1294

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PVD:dkg(5)

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DATE 11/7/00 BY SP2AMK/

JAN 23 1976



JAN 28 1976

Buy U.S. Savings Bonds Regularly on the Payroll Savings Plan



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

JAN 21 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Letter Dated January 20, 1976

Attached is a letter from the Senate Select Committee re-
questing clearance of certain FBI materials pertaining to Leonard B.
Boudin. Please arrange for an appropriate response.

*with the cooperation
of the FBI
attached in written and will
be submitted to SSC.
specific items as to which the Comm
wants clearance. Cell had previously
provided copies of envelope or at
least a portion thereof. Boudin aware of SSC id
in possession of accounts in name of SSC
approached Boudin from a Privacy standpoint
to determine if he had any info being used.
1/22/75
WLB.*

AS

ST 115

REC-511

62-116395-1291

5 JAN 23 1976

ALL FBI INFORMATION CONTAINED
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DATE 11/7/00 BY SP2ALM/GP

EXCLUDED

51

FRANK CHURCH, IDAHO, CHAIRMAN
JOHN G. TOWER, TEXAS, VICE CHAIRMAN
PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
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BARRY GOLDWATER, ARIZ.
CHARLES MCC. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES
(PURSUANT TO S. RES. 21, 94TH CONGRESS)
WASHINGTON, D.C. 20510

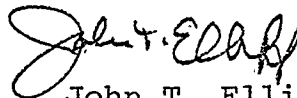
January 20, 1976

Michael E. Shaheen, Jr., Esq.
Special Sounsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

Dear Mike:

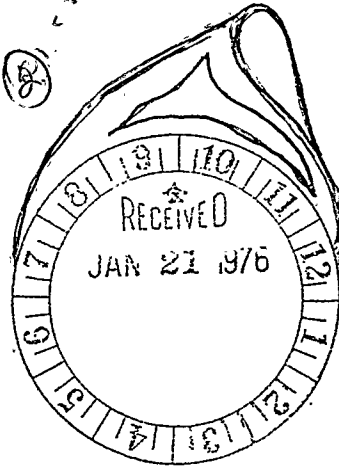
Attached is a collection of FBI materials pertaining to Mr. Leonard B. Boudin. The FBI has suggested that the Select Committee request clearance of these materials. Consequently, I am requesting that you arrange with the FBI for appropriate excision of these materials. You will note that they are not classified. I have indicated by pencil the excisions which appear appropriate for public release.

Sincerely,



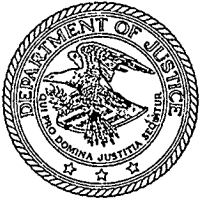
John T. Elliff
Director
Domestic Intelligence Task Force

Handwritten notes:
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DATE 11/7/00 BY SP2ALM/KP

ENCLOSURE
62-116395-1291



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

JAN 21 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

MIKE by
SB

SUBJECT: SSC Letter Dated January 20, 1976

Attached is a letter dated January 20, 1976, from the Senate Select Committee requesting access to and delivery of various FBI materials. Please arrange for an appropriate response.

ST. 115

REC-51

62-114395-1290

5 JAN 23 1976

Handwritten signature/initials

cc: Paul Daly

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Handwritten initials SB



FRANK CHURCH, IDAHO, CHAIRMAN
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WALTER D. HUDDLESTON, KY.
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GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MC C. MATHIAS, MD.
RICHARD S. SCHWEIKER, PA.

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

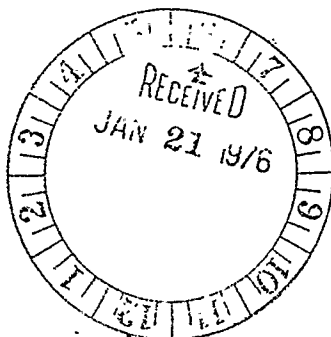
January 20, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

Dear Mike:

The Select Committee requests the following materials for access or delivery as appropriate:

1. Access to all material furnished to the FBI by the CIA from a source known to the FBI as "COLGS" and who was handled as a source under the heading "racial extremist matters". The initial access should concentrate on material received in the period June 1970 to June 1971. This source reported primarily on the Black Panthers. The CIA has already given the Committee staff access to the material in their possession relating to this source.
2. Access to all materials pertaining to Howard Berry Godfrey, previously identified to the Committee and in public as an FBI informant, during the period 1967-1972.
3. Access to all materials pertaining to the group in California known as the Secret Army Organization.
4. Delivery of all materials pertaining to the unlawful entry conducted against domestic surveillance target in October 1963 referred to in FBI memorandum dated January 13, 1976.



ALL FBI INFORMATION CONTAINED
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DATE 11/10 BY SP2AMK/P

62-116395-1290

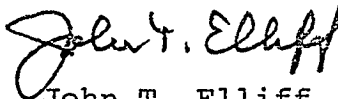
Michael E. Shaheen, Jr.

Page 2

January 20, 1976

Please advise FBI liaison with the Committee to notify Mr. Burt Wides of the staff when access to Item 1 is ready, Mr. Mike Madigan of the Committee staff when access to Items 2 and 3 are ready, and myself if there are any problems with delivery requested in Item 4.

Sincerely,



John T. Elliff

Director

Domestic Intelligence Task Force

Date of Mail 1/15/76

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

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DATE 11/7/00 BY SP2A/MGP

Subject JUNE MAIL SENSTUDY 75

Removed By 79 JAN 28 1976

File Number 62-116395-1289

Permanent Serial Charge Out

Date of Mail 1/14/76

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/90 BY SP2ALM/KP

Subject JUNE MAIL SENSTUDY 75

Removed By 79 JAN 28 1976

File Number 62-116395-1288

Permanent Serial Charge Out

Federal Bureau of Investigation
Office of Associate Director

1119

, 1976

Director

___ Mrs. Metcalf

Mr. Callahan

Mr. Jenkins

Mr. Adams

___ Mr. Ash

___ Mr. Bassett

___ Mr. Cleveland

___ Mr. Cochran

___ Mr. Decker

___ Mr. Gallagher

___ Mr. Hoxie

___ Mr. McDermott

___ Mr. Mintz

___ Mr. Mooney

___ Mr. Moore

___ Mr. Walsh

Mr. Wannall

___ Mr. Mack

___ Mr. Feeney

___ Mr. O'Connell

___ Mrs. Mutter

___ Mrs. Haines

___ Miss A. Southers

___ M

Room _____

Assoc. Dir.	___
Dep. AD Adm.	___
Dep. AD Inv.	___
Asst. Dir.:	
Admin.	___
Comp. Syst.	___
Ext. Affairs	___
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Gen. Inv.	___
Ident.	___
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Intell.	___
Laboratory	___
Legal Coun.	___
Plan. & Eval.	___
Spec. Inv.	___
Training	___
Telephone Rm.	___
Director Sec'y	___

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DATE 11/17/00 BY

*Mr. Kelley reviewed general
as to this matter which
was referred to in an
interview of former employee
"Doc White" by committee
report*

J. B. Adams

Room 7010, Ext. 5555

PRINT ABSTRACTS=A77/#

NEXT=B OR B77/#

ENQ INQUIRY=C

(C)NYTIMES.SEE ABSTRACT FOR YEAR.NONTIMES MATERIAL PERMISSION

12 OF 36 NYT/JNL 1975- 9-17 : 27: 1 6/WG# 12/LIN

260-75-34

1020419/IDN

CIA MEMORANDUM MADE PUBLIC DURING SEPT 16 HEARING CONDUCTED BY SEN SELECT COM ON INTELLIGENCE REVEALS THAT CIA SECRETLY USED NYC SUBWAYS TO TEST VULNERABILITY OF SUBWAY SYSTEMS TO

~~BIOLOGICAL-WARFARE ATTACK~~; CIA REPTDLY FLOODED NYC SUBWAYS WITH 'HARMLESS SIMULANT' OF DISEASE-CARRYING GAS TO PROVIDE MEANS OF ASSESSING THREAT OF INFECTION TO SUBWAY PASSENGERS AND DEMONSTRATE HOW TO USE SUCH ATTACK OFFENSIVELY; MEMO SAYS RESULTS PROVIDED INFORMATION ON DISTRIBUTION AND CONCENTRATION OF ORGANISMS WHICH ARE OBTAINED AND DATA PROVIDED MEANS OF ASSESSING THREAT OF INFECTION TO SUBWAY PASSENGERS; SAYS STUDY PROVIDED THREAT MODEL AND INFORMATION ON EASE OF DISSEMINATION AND METHODS OF DELIVERY WHICH COULD BE USED OFFENSIVELY (M)

DA

Senstudy

REC-51

62-116395-1286

ST. 115

Abstract of attached article

5 JAN 26 1976

ENCLOSURE

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5-AM

DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
INTERNAL ROUTING ACTION SLIP

TO	BLDG.	ROOM	NAME/TITLE/ORGANIZATION	TO	BLDG.	ROOM	NAME/TITLE/ORGANIZATION
			DIVISION FRONT OFFICE				SUPERVISORS
②	JEH	4026	Mr. Wannall		JEH	4155	Mr. Anderson
	JEH	4026	Mr. Leavitt		JEH	4147	Mr. Dare
	JEH	4026	Mr. Helgeson		JEH	4165	Mr. Donovan
	JEH	4026	Mrs. Cuozzo		JEH	4133	Mr. Ennulat
	JEH	4012	Mrs. Liskey		JEH	4147	Mr. Green
	JEH	4026	Miss McFarland		JEH	4155	Mr. Katz
	JEH	4012	Miss Tweedon		JEH	4155	Mr. Lott
					JEH	4133	Mr. Maynor
			SECTION CHIEFS		JEH	4147	Mr. McGuire
	JEH	4204	Mr. Branigan		JEH	4155	Mr. Morgan
	JEH	4063	Mr. Cregar		JEH	4147	Mr. Nicholas
	JEH	4092	Mr. Deegan		JEH	4165	Mr. Potocki
	JEH	4825	Mr. Fulton		JEH	4133	Mr. Regan
	JEH	4634	Mr. Kolombatovic		JEH	4133	Mr. Thomas
	JEH	4042	Mr. Mignosa				
	JEH	4123	Mr. Redfield		JEH	1B327	Mail Room
	JEH	4439	Mr. Shackelford		JEH	5425	Name Check Section
					JEH	4027	Steno Pool
	JEH	4123	Mrs. Chadkewicz				
	JEH	4147	Miss Cronauer				RECORDS SECTION
	JEH	4155	Mrs. Hemmingway		JEH	4905	Consolidation Unit
	JEH	4133	Mrs. Moody		JEH	4543A	Name Searching
	JEH	4123	Miss Walton		JEH	5847	Special File Room
	JEH	4165	Miss White		JEH	5648	Filing Unit
	JEH	4147	Miss Whitson		JEH	4336	Mail Processing Unit
	JEH	4155	Mr. Williams				
	JEH	4647	Miss Metts				

Attached is in response to request of Mr. Wannall for a copy of news article relating to alleged CIA vulnerability study in subway of New York City which had been mentioned by

- CONTINUED OVER
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|---|----------------------------------|--|
| <input type="checkbox"/> RECOMMENDATION/COMMENT | <input type="checkbox"/> LOG | <input type="checkbox"/> NECESSARY ACTION |
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| <input type="checkbox"/> MAKE COPIES (NO.) | <input type="checkbox"/> SEE ME | <input type="checkbox"/> PER INQUIRY |
| <input type="checkbox"/> RETURN (BY) | <input type="checkbox"/> CALL ME | <input type="checkbox"/> INFORMATION |

FROM INTELLIGENCE DIVISION, CI-2 SECTION	BLDG. JEH	ROOM 4063
McNIFF	PHONE 4636	DATE 1/6/76

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former Laboratory Special Agent employee
S. William Magee when being interviewed by
SSC. It should be noted that, in contact with
CIA, our Liaison Agent was advised that in
reality the vulnerability study was conducted
by the Army with CIA playing a minor but
interested role.

If any additional information is needed
concerning attached, please advise.

JM

which in its judgment affects or always adversely the agreement.

No 260-75-34

1975



Shows his position regarding House intelligence committee subpoena

Tal Smith Promoted
WASHINGTON, Sept. 16 (UPI)—Tal Smith, recently hired as the Houston Astros general manager, was named executive vice president today of the Houston Sports Association, which controls the Astros.
Sept. 17 3:35

Subway Here Used To Assess Threat Of a Germ Attack

Sept. 17 2:27:1

WASHINGTON, Sept. 16—Central Intelligence Agency secretly used the New York City subway system to test the vulnerability of subway systems to a biological-warfare attack, the Senate Select Committee on Intelligence learned today.

The test, said a C.I.A. memorandum made public during the panel's hearing, "provided a means of assessing the threat of infection to subway passengers" and demonstrated how to use such an attack "offensively."

Congressional sources said C.I.A. officials had said that the agency, in the test, flooded the New York subways with a "harmless simulant" of a disease-carrying gas.

When the test was performed and how long it lasted were not disclosed. The memorandum, giving some details of an 18-year secret project to develop poisons, biochemical weapons and the means of delivering them, was written in October, 1967.

Of the New York subway project, it said:

"In anticipation of a future need for information and to establish a capability, a study of vulnerability of subway systems to covert attack was conducted.

"The suitability of the systems was assessed and evaluated covertly, utilizing the New York City subways as the trial model.

"Results provided information on distribution and concentration of organisms which are obtained. The data provided a means of assessing the threat of infection to subway passengers. The study provided a threat model and information on ease of dissemination and methods of delivery which could be used offensively."

Officials of the Transit Authority in New York were not available for comment.

1975

No 2

Vail Fails As Mets Win in 18

By MURRAY CHARS

Mike Vail started the game with a 23-game hitting streak and ended it in a slump. The Mets' exciting rookie walked his first time at bat and made a variety of outs in his seven efforts. His batting average plummeted 22 points. If that had happened in the stock market, financial experts would have warned of a depression.

The 23-year-old left-hander took a third called strike in the third and grounded into a force play in the sixth.

Then he hit a fly ball to the warning track in left field that put Unser into position to score the Mets' second run in the eighth, struck out in the 10th, flied out in the 12th and popped out while trying to hunt in the 17th.

He hit two balls that came close to being hits. In the sixth, he hit a long fly to right field that curv'd foul and landed in the stands. It brought the other Mets out of the dugout to watch and evoked groans from the crowd when it veered foul.

Although the Expos took a 3-0 lead, starting with Bob Bailey's home run on the second pitch of the game, a hit that was long forgotten by the end, the Met crew of pitchers was brilliant in the final 13 innings, limiting Montreal to two hits.

The Expo pitchers weren't so bad themselves, but De Mola finally weakened in his sixth inning of work. With one out, Roy Stalger, who entered the game in the 14th, singled, and with two out, Mike Phillips stroked his third single. Jerry Grote then batted for Rick Baldwin and walked on a 3-2 pitch.

Unser, who had singled home the tying run in the ninth with two out, was the next batter and his bat never moved. DeMola threw four pitches and all were balls.

Continued on Page 33, Column 3

Continued From Page 31

to the Montreal dugout. His uncle, Charles, is the chairman of the board of the Expos. 17 3:35

Vail entered the game with at least one hit in his previous 23 games and both the fans and his teammates focused their attention on him.

After Don Carrithers walked him in the first inning, the 23-year-old left-hander took a third called strike in the third and grounded into a force play in the sixth.

Then he hit a fly ball to the warning track in left field that put Unser into position to score the Mets' second run in the eighth, struck out in the 10th, flied out in the 12th and popped out while trying to hunt in the 17th.

He hit two balls that came close to being hits. In the sixth, he hit a long fly to right field that curv'd foul and landed in the stands. It brought the other Mets out of the dugout to watch and evoked groans from the crowd when it veered foul.

MONTREAL (IN)		METS (IN)	
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UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.: _____
- Admin. _____
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- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
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- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

- 1 - Mr. Mintz
- 1 - Mr. Adams
- 1 - Mr. Wannall
- 1 - Mr. Cregar
- 1 - Mr. Hotis
- 1 - Mr. Daly

TO : Mr. J. B. Adams

DATE: 1/9/76

FROM : Legal Counsel *J. B. Adams*

SUBJECT: TESTIMONY GIVEN BY DIRECTOR KELLEY BEFORE THE
SENATE SELECT COMMITTEE ON INTELLIGENCE
ACTIVITIES ON DECEMBER 10, 1975

Attached is a corrected copy of Director Kelley's testimony before the Senate Select Committee on 12/10/75. These corrections were made in coordination with the Intelligence Division.

The questions raised during testimony are being responded to separately. The deadline for return of the testimony has been extended per Mark Faterstein to 1-16-76.

RECOMMENDATION:

That the attached corrected testimony be furnished expeditiously to the Senate Select Committee by the Office of Congressional Affairs.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2AMK/P

Enclosure

REC-69

Answers needed JAN 20 1976

Pg. 2474 - L. 3, 4
as well as others
already noted -
K

lad
(9)

ENCLOSURE
ENCL BEHIND FILE

84 JAN 29 1976

Testimony given to Senate Select Committee on Intelligence on 12-10-75

*1/16/76 Testimony returned to
Agency Staff, Sen. Select. RTI*

UNITED STATES GOVERNMENT

Memorandum

- 1 - Mr. Mintz
- 1 - Mr. Wannall
- 1 - Mr. Cregar

- Assoc. Dir.
- Dep. AD Adm.
- Dep. AD Inv.
- Asst. Dir.:
- Adm.
- Comp. Syst.
- Ext. Affairs
- Files & Com.
- Gen. Inv.
- Ident.
- Inspection
- Intell.
- Laboratory
- Legal Coun.
- Plan. & Eval.
- Spec. Inv.
- Training
- Telephone Rm.
- Director Sec'y

TO : Mr. J. B. Adams

DATE: 1/12/76

- 1 - Mr. Hotis
- 1 - Mr. Daly

FROM : Legal Counsel *JAM*

SUBJECT: SENSTUDY 75

ALL INFORMATION CONTAINED
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DATE 11/7/00 BY SP2ALM/KP

Walls

On 1/12/76, Paul Wallach, Counsel for the Senate Select Committee, requested that former SA Sterling B. Donahoe be made available for Staff interview concerning his knowledge of Cuban intelligence operations and COINTELPRO as it relates to Cuban intelligence operations. The Committee's interest of Donahoe arose out of a Bureau memorandum dated 8/3/61 concerning Cuban intelligence operations. Wallach did not recall the caption of this memorandum.

RECOMMENDATIONS:

(1) That former SA Donahoe be released from any existing employment agreement for purposes of interview by the Senate Select Committee concerning the aforementioned topics.

(2) That the Intelligence Division determine the current whereabouts of former SA Donahoe and advise him that he may be contacted by representatives of this Committee for purposes of interview.

(3) That the Legal Counsel Division orally advise the Senate Select Committee of the current whereabouts of former SA Donahoe.

1 - Personnel File - Sterling B. Donahoe

*10:15 am 1/13/76 -
Called Donahoe's safe. No
AD him. He had been called
by Wallach 1/12 & interview
set for 10 am 1/15. Donahoe
call LCD unavail. Donahoe
for the interview*

*See phone dir. - 2813 Springfield, Suite, Md.
762-0871*

REC-69 62-116395-1284

JAN 22 1976

JAM

51

UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

- 1 - Mr. Mintz
- 1 - Mr. Moore
- 1 - Mr. Wannall

DATE: 1/13/76

- 1 - Mr. Cregar
- 1 - Mr. Hotis
- 1 - Mr. Daly

TO : Mr. J. B. Adams

FROM : Legal Counsel *JAM*

SUBJECT: SENSTUDY 75

Pat Shea, Senate Select Committee Staff Member, advised on 1/12/76 the recommendations of captioned Committee concerning Congressional oversight of the intelligence community have not been finalized as of this date. Shea, who is responsible for the preparations of the Senate Select Committee in this area, has been discussing the various options relating to oversight available to the Committee with other Congressional Committees, representatives of the White House and various components of the intelligence community. Complicating the Senate Select Committee's recommendation concerning oversight is an internal dispute in the Senate between the Rules Committee and Government Operations Committee as to which should have initial review of oversight recommendations. At the present time, it appears Governmental Operations will review the recommendations. Additionally, the Senate Judiciary Committee and in particular Senators Tunney and Kennedy object to a new oversight Committee of the Senate having jurisdiction over domestic intelligence activities. They advocate the new Committee be limited to foreign counterintelligence operations and the Judiciary Committee would exercise oversight over the remaining areas of Bureau operations.

Shea stated he believes that the ultimate recommendations by the Committee will be along the lines of the position taken by the Judiciary Committee. He is aware of the problems in defining what is foreign counterintelligence and what is domestic counterintelligence and of the complications in the creation of an oversight Committee with a limited mandate would cause especially in view of the limited percentage of Bureau operations which might be subject to the review of that oversight Committee. He also expressed his view that the Bureau budgetary set up currently does not allow for a separate review of counterintelligence expenditures.

CONTINUED - OVER

PVD:ladd
(8)

REC-69

62-116395-4282

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5 JAN 20 1976

LE PVD

84 JAN 28 1976

Legal Counsel to Mr. Adams
RE: SENSTUDY 75

Shea stated that the recommendations of the Senate Select Committee will be presented by Senators Church and Tower to the Senate Government Operations Committee on 1/21/76 in open testimony. He suggested that it would be appropriate for Bureau representatives to meet with him to go over their tentative oversight recommendations and furnish him their observations of same. Shea indicated that he would be receptive to such a meeting in about two or three days after he has had a chance to discuss this matter with the White House and Senators on the Senate Select Committee.

RECOMMENDATION:

That representatives of the Legal Counsel Division and Intelligence Division meet with Shea to review and furnish observations concerning the recommended oversight of Bureau operations by the Senate Select Committee.

*Meeting held
1/15/76 re: review
memo dated
1/19/75
per*

gma

per

MS



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

JAN 19 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

Mike

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

Sanitizing '75

SUBJECT: SSC Letter Dated January 19, 1976

Attached is a letter from the SSC dated January 19, 1976 requesting access to various FBI documents at the FBI's Chicago office. Please have someone call Steve Blackhurst of my staff to discuss an appropriate response to this request.

SI 115

REC-51

62-116395-1280

7 JAN 22 1976

ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2AUM/KP

2 ENCLOSURE

LEGAL COUNSEL
5-8

cc: Paul Daly



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FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS R. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES
(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

January 19, 1976

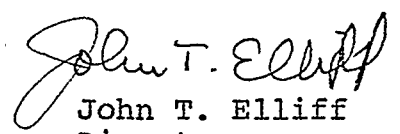
Michael E. Shaheen, Jr., Esq.
Office of Deputy Attorney General
U.S. Department of Justice
Room 4313
Washington, D.C. 20530

Dear Mike:

Our investigation into the FBI's intelligence operations against the Black Panther Party in Chicago, Illinois, has reached a critical stage and we submit the following document request with that understanding, as well as the fact that this Select Committee is due to end in the very near future.

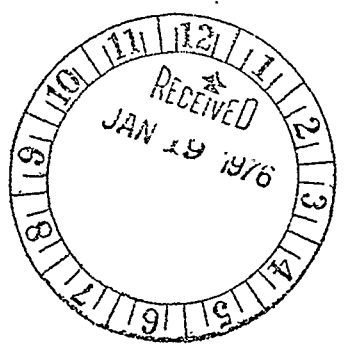
We are therefore requesting that the materials enumerated in the attached document request be made available to Select Committee staff, as soon as possible, for study in the FBI's Chicago office.

Yours truly,



John T. Elliff
Director
Domestic Intelligence Task Force

Encl.



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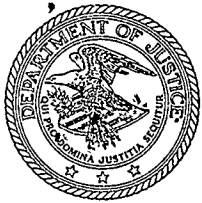
ENCLOSURE

62-116395-1280

1. The 90-day progress letters submitted by Chicago office to FBI Headquarters in the COINTELPRO operations against Black Nationalist-Hate Groups.
2. All FBI inspection reports or other reports relating to the existence of weapons in possession of the Chicago Black Panther Party at the apartment at 2337 West Monroe Street, Chicago, Illinois.
3. Any informant reports which would indicate that BPP member William O'Neal was involved in criminal activity while a member of the BPP.
4. Copies of reports made as a result of information supplied by William O'Neal, FBI informant within the Chicago BPP, to FBI Special Agents.
5. Access to FBI files in Chicago, on Fred Hampton, Mark Clark, Jeff Forte, Blackstone Rangers, The Woodlawn Organization, Rev. John Fry, Nathaniel Junior, Charles La Paglia, Chicago Chapter of the Black Panther Party.
6. Copies of memoranda or letters between the FBI and IRS regarding the finances of: Fred Hampton, Bobby Rush, The Chicago Black Panther Party, Rev. John Fry, Charles La Paglia.
7. The file of informant William O'Neal.

ENCLOSURE

62-116395-1280



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

[Handwritten signature]
10-3

JAN 19 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Letter Dated January 15, 1976

Mika

Attached is a letter from the SSC dated January 15, 1976. Please arrange for an appropriate response to Parts 2 and 3 of this letter. We have asked the Attorney General's Office to arrange for a response to Part 1.

o Study - '75

*Revised
DOJ
10:45 am
1/20/76
WJB*

ST. 115
REC-51 62-110392-1279

7 JAN 22 1976

[Handwritten signature]
ENCLOSURE

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LEGAL COUNSEL

5-8

cc: Paul Daly

[Faint stamp]



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United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

January 15, 1976

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DATE 11/7/00 BY SP2ALM/KP

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D. C. 20530

Dear Mike:

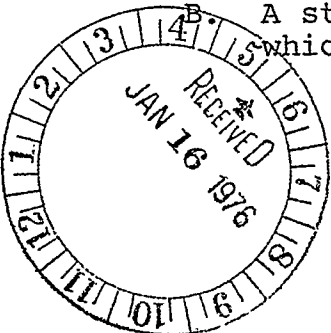
This request for materials for delivery to the Senate
Select Committee is in three parts.

Part I

A. A summary of pertinent information regarding the elec-
tronic surveillances referred to in the Justice Depart-
ment memorandum filed in the case of Szulc v. Erhlichman
on December 12, 1975, at page 26. The memorandum reads
as follows:

. . . the Attorney General, on at least one
occasion following the decision in Zweibon,
has authorized an application, and has re-
ceived a judicial warrant, for a foreign
intelligence surveillance in exigent circum-
stances in which the surveillance was deemed
necessary for foreign intelligence purposes
but the information available was not deemed
sufficient to satisfy the requirement that
the subject or subjects of the surveillance
was or were agents of, or active collabora-
tors with, a foreign power or a foreign
political party.

A statement of the policies of the Attorney General
which are reflected in these electronic surveillances.



ENCLOSURE

62-116395-1279

January 15, 1976

Lugar Lobby

Part II

- A. The Sizoo to Belmont memorandum of February 10, 1961, regarding Hoover-Kennedy discussion.
- B. The FBI memoranda submitted to the Attorney General on or before February 10, 1961, referred to in item A above.
- C. The Evans to Parsons memorandum of April 15, 1961, regarding termination of "intensive coverage".
- D. The Wannall to Sullivan memorandum of November 21, 1966, and all materials summarized therein.
- E. Any memoranda prepared for the Attorney General, the Deputy Attorney General, or the Associate Deputy Attorney General in 1974-1975 pertaining to the above.
- F. Any memoranda submitted to the Attorney General on or shortly before February 16, 1961, referring to Mrs. Christine S. Gallagher.
- G. All material similar to the above pertaining to the reasons for and termination of the electronic surveillances of Mrs. Gallagher and others authorized by the Attorney General on June 26, 1962.
- H. Any additional materials reflecting the guidance or interest of the Attorney General, the President, or the State Department with respect to the electronic surveillances of Mrs. Gallagher, the Agriculture Department officials, and the lobbyists involved in the above.
- I. Materials pertaining to any other instances where a member of Congress or a Congressional staff member has been the subject of non-consensual warrantless FBI electronic surveillance.

January 15, 1976

Part III

- A. A summary of material upon which the FBI has based its assessment of the potential for terrorist violence in connection with the Bicentennial.
- B. A summary of the FBI's intelligence-gathering activities used to collect the material upon which the above assessment is based.
- C. A description of the organization of the FBI Intelligence Division for the supervision of intelligence activities pertaining to terrorism.
- D. A description of the types of information requested and received from other agencies, including other federal agencies, state and local agencies, private agencies, and foreign government agencies, regarding terrorist activities.
- E. A description of the practices and procedures of the FBI for assessing intelligence about terrorist activities.
- F. A description of the practices and procedures of the FBI for the dissemination of assessments and/or intelligence regarding terrorist activities, including the identities of federal agencies and the types of other agencies to whom the assessments and/or intelligence are disseminated.

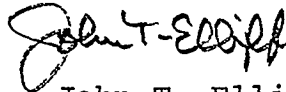
The Committee also requests that the information under Part III be covered in a staff briefing on or before January 23, 1976. This information will also be covered in the executive session hearing scheduled for January 27, 1976.

Michael E. Shaheen, Jr., Esq.
Page Four

January 15, 1976

The desired deadline for delivery of material in Parts I and II is on or before January 22; the deadline for delivery of the material in Part III will be determined by staff discussions.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

JAN 19 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

SUBJECT: SSC Letter Dated January 19, 1976

Attached is a letter from the SSC dated January 19, 1976. Please arrange for an appropriate response.

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ST. 115

REC-5U

62-116390-1278

7 JAN 22 1976

ENCLOSURE

cc: Paul Daly

LEGAL COUNSEL

5-8



FEB 13 1976

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CURTIS P. SMOTHERS, MINORITY COUNSEL

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

January 19, 1976

Michael E. Shaheen, Jr., Esq.
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

Dear Mike:

The Senate Select Committee requests delivery as soon as possible of the following:

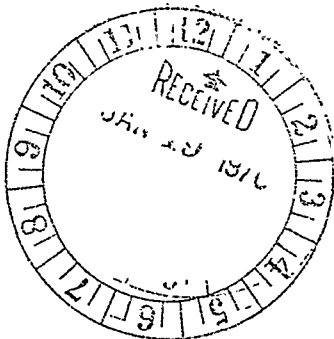
All material pertaining to the authorization and purpose of SAC letter No. 63-27(F), June 11, 1963 captioned "Investigations of Rightest or Extremist Groups". This material should include any material reflecting the interest, authorization, or knowledge of this matter by the Attorney General, the President, and officials of the Justice Department and White House staff. In addition, the Committee requests material reflecting Bureau authorization of all investigations conducted pursuant to paragraph two of the above SAC letter.

Please advise FBI liaison with the Committee to telephone me when any material response to this request has been compiled.

Sincerely,

John T. Elliff
Director
Domestic Intelligence Task Force

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DATE 11/7/00 BY SP2ALM/KP



ENCLOSURE

62-116385-1278

- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- 1 - Mr. K. A. Mendenhall

The Attorney General

February 10, 1976

Director, FBI

REC-100

62-116395-1277X

U. S. SENATE SELECT COMMITTEE ON
INTELLIGENCE ACTIVITIES (SSC)

Reference is made to SSC letter dated January 19, 1976, requesting certain materials from the FBI and SSC informal memorandum dated January 30, 1976, from Mr. John Elliff setting forth list of organizations and individuals of interest to SSC in connection with their request of January 19, 1976. A copy of the informal memorandum dated January 30, 1976, is being furnished for your records.

Enclosed for your approval and forwarding to the SSC is the original of a memorandum which constitutes this Bureau's response to the requests in referenced letter.

A copy of this memorandum is being furnished for your records.

Enclosures (3)

62-116395

ALL INFORMATION CONTAINED
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DATE 11/7/00 BY SP2ANX/P

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

5 ENCLOSURE

KAM:en 2 w
(9)

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____

Return to CIA 2-12-76

[Handwritten signatures and initials: JBA, Pen, WAW, WOD, TAM, JAM, JCF, KATM]

[Handwritten notes: T.J. McViss, 40638]

- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- 1 - Mr. K. A. Mendenhall

62-116395

ALL INFORMATION CONTAINED
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DATE 11/7/00 BY SPALM/KP

February 10, 1976

UNITED STATES SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH RESPECT
TO INTELLIGENCE ACTIVITIES (SSC)

Reference is made to SSC letter dated January 19, 1976, requesting certain materials from the FBI and SSC informal memorandum dated January 30, 1976, from Mr. John Elliff.

Material pertaining to the authorization and purpose of SAC Letter Number 63-27 (F) consists only of a memorandum from Mr. F. J. Baumgardner to Mr. W. C. Sullivan dated May 29, 1963, captioned "Investigations of 'Rightist or Extremist' Groups." A copy of this document is attached with this memorandum. No material could be located which would reflect interest or knowledge of this matter by the Attorney General, the President, officials of the Department of Justice, or the White House Staff.

Regarding the request for material reflecting Bureau authorization of all investigations conducted pursuant to the above-mentioned SAC Letter, it should be noted any such request from a Field Office would have been submitted under a substantive case caption. There would, therefore, now be no feasible way of identifying any such instance without a review of a tremendous number of investigative files maintained at FBI Headquarters. Additionally, contact with knowledgeable Bureau officials at FBI Headquarters concerning this matter failed to ascertain any instances wherein the Bureau authorized investigations in response to instructions contained in the SAC Letter.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

It is noted the memorandum dated May 29, 1963, indicates the FBI "checked into the background" of the John Birch Society (JBS). A review of the file concerning the

ORIGINAL AND ONE TO ATTORNEY GENERAL

KAM:en
(8)

SEE NOTE PAGE 3

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings of your Committee and the content may not be disclosed to unauthorized persons without the express approval of the FBI.

MAIL ROOM TELETYPE UNIT

ENCLOSURE

GPO : 1975 O - 594-120

62-116395-1277X

RE: UNITED STATES SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH RESPECT
TO INTELLIGENCE ACTIVITIES (SSC)

JBS revealed a file was opened during 1957 upon receipt of a publication of the JBS which had been forwarded to FBI Headquarters by the founder of the organization. Our Boston Office was instructed during 1959 to obtain background data concerning Robert H. W. Welch, Jr., founder of the JBS, and to remain alert for information concerning Welch's alleged anticommunist activities to insure these activities did not encroach on the Bureau's jurisdiction and responsibilities. The Boston Office conducted no active investigation of Welch, but did furnish background information concerning him which had been obtained from a copy of the 35th Reunion Report of the Harvard Law School Class of 1922, published in 1957, and Volume 4 of "Who's Who in New England," dated 1948. The preponderance of the file, which is now quite extensive, consists of correspondence from the public. Neither the JBS nor its founder, Robert H. W. Welch, Jr., has been the subject of a Bureau security-type investigation. Information concerning the "Minutemen," which organization was also mentioned in the May 29, 1963, memorandum, is not being provided pursuant to the desires of Mr. Elliff, as orally expressed on January 22, 1976.

A review of information contained in Bureau files regarding the organizations and individuals set forth in the informal memorandum of Mr. Elliff dated January 30, 1976, revealed no Bureau investigations were authorized or conducted on these organizations and individuals pursuant to paragraph two of SAC Letter 63-27 (F). Mr. Elliff, on January 30, 1976, requested the review of files on this subject matter be limited to investigations conducted in accordance with instructions in the above-mentioned SAC Letter.

Enclosure

1 - The Attorney General

RE: UNITED STATES SENATE SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH RESPECT
TO INTELLIGENCE ACTIVITIES (SSC)

NOTE:

Knowledgeable individuals contacted regarding possible receipt of information concerning organizations of possible interest under SAC letter mentioned above were SA's W. N. Preusse, J. G. Deegan and S. F. Phillips of the Intelligence Division and J. G. Kelly of the General Investigative Division. Elliff conferred with SA Thomas J. McNiff on 1/22/76.

Copy of SAC Letter 63-27 (F) and SSC letter dated 1/30/76 with list of organizations and individuals of interest to SSC attached for information.

5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535

Addressee: SENATE SELECT COMMITTEE

LTR LHM Memo Report dated 2/10/76

U.S. SENATE SELECT COMMITTEE
Caption of Document:

1/19/76 request

Originating Office: FBI

Delivered by: Thomas J. McHugh Date: 2/13/76

Received by: Beela's Stewart

Title: Clerk

Return this receipt to the Intelligence Division, FBI

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2ALM/KP

ENCLOSURE
62-116395-1277X1

TO: Intelligence Community Staff ATTN: Central Index	FROM: FBI										
SUBJECT: Abstract of Information Provided to Select Committees											
1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)	2. DATE PROVIDED										
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:15%;"><input checked="" type="checkbox"/></td> <td style="width:20%;">DOCUMENT</td> <td style="width:15%;"><input type="checkbox"/></td> <td style="width:15%;">BRIEFING</td> <td style="width:15%;"><input type="checkbox"/></td> <td style="width:15%;">INTERVIEW</td> <td style="width:15%;"><input type="checkbox"/></td> <td style="width:15%;">TESTIMONY</td> <td style="width:15%;"><input type="checkbox"/></td> <td style="width:15%;">OTHER</td> </tr> </table>	<input checked="" type="checkbox"/>	DOCUMENT	<input type="checkbox"/>	BRIEFING	<input type="checkbox"/>	INTERVIEW	<input type="checkbox"/>	TESTIMONY	<input type="checkbox"/>	OTHER	2/10/76
<input checked="" type="checkbox"/>	DOCUMENT	<input type="checkbox"/>	BRIEFING	<input type="checkbox"/>	INTERVIEW	<input type="checkbox"/>	TESTIMONY	<input type="checkbox"/>	OTHER		
3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)											
<table border="1" style="width:100%; border-collapse: collapse;"> <tr> <td style="width:10%;"><input checked="" type="checkbox"/></td> <td style="width:80%;">SSC</td> </tr> <tr> <td><input type="checkbox"/></td> <td>HSC</td> </tr> </table>	<input checked="" type="checkbox"/>	SSC	<input type="checkbox"/>	HSC							
<input checked="" type="checkbox"/>	SSC										
<input type="checkbox"/>	HSC										
4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)											
Memorandum and enclosures											
5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)	6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)										
SSC letter 1/19/76 and SSC informal memorandum 1/30/76 from John T. Elliff	U										
7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)											
Operating Procedures Information Handling											
8. SUMMARY (see reverse side before completing this item)											
Information furnished concerning "Investigations of Rightist or Extremist groups" as set forth in SAC letter number 63-27 (F).											

ALL INFORMATION CONTAINED
 HEREIN IS UNCLASSIFIED
 DATE 11/7/00 BY SP2ALM/KD

62-116395

AJD:1hb ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX
 (4) IN CONNECTION WITH SENSTUDY 75.

TREAT AS YELLOW

5-7-76

INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

UNITED STATES GOVERNMENT

Memorandum

Tolson	_____
Belmont	_____
Mohr	_____
Casper	_____
Callahan	_____
Conrad	_____
DeLoach	_____
Evans	_____
Gale	_____
Rosen	_____
Sullivan	_____
Tavel	_____
Trotter	_____
Tele. Room	_____
Holmes	_____
Gandy	_____

TO : Mr. W. C. Sullivan *West*

DATE: May 29, 1963

FROM : Mr. F. J. Baumgardner *JK*

- 1 - Mr. Belmont
- 1 - Mr. Mohr
- 1 - Mr. Casper
- 1 - Mr. Rosen
- 1 - Mr. Sullivan
- 1 - Mr. Baumgardner
- 1 - Mr. Kleinkauf

SUBJECT: INVESTIGATIONS OF "RIGHTIST OR EXTREMIST" GROUPS

We have examined our policy with respect to handling "rightist or extremist" groups and it is believed our policy is sound.

Anti C.P. Activities

For the most part, the activities of these groups do not come within the scope of the Bureau's investigative responsibility. However, the fact that some of these groups are anticommunist does not mitigate against our checking on them if their activities warrant it. Whenever we receive information on any "rightist or extremist" group whose activities are suspect, we check to see if the group's activities come within the purview of Executive Order 10450 or are in violation of any Federal statutes over which the Bureau has investigative jurisdiction. In this respect, we have checked into the background of the John Birch Society (JBS) and "Minutemen." We checked into the background of the JBS because of the scurrilous attack on President Eisenhower and other high Government officials by the Society and its founder Robert Welch. We checked into the background of "Minutemen" because it reportedly was collecting arms and ammunition and engaging in military type training to overthrow the Government of the United States. Our check revealed the purpose of the "Minutemen" organization is not to overthrow our Government but to overthrow a communist government in the event the communists take over the Government of the United States. We clearly established the activities of these two groups do not come within the purview of Executive Order 10450 and are not in violation of any Federal statutes coming within the Bureau's jurisdiction.

There are "rightist or extremist" groups operating in fields other than the anticommunist field. For example, we are investigating the Nation of Islam which is an all-Negro, violently antiwhite group that teaches hatred of the white race. In addition, the General Investigative Division has numerous organizations under investigation, such as the American Nazi Party, National States Rights Party and various klan and "hate" groups, in the integration, segregation, racial and "hate" fields.

Enclosure *sent 6-4-63*

62-106364

62-106364-202

JHK:mar

(8)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings by your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

62-106364-1277X

ALL INFORMATION CONTAINED HEREIN IS UNCLASSIFIED DATE 11/7/00 BY SP2AMK

415 Memo to [unclear] 5/29/63 JHR
(B) "INVESTIGATIONS OF 'RIGHTIST OR EXTREMIST' ... UPS -- "Rightist
"extremist" groups operating in the anticommunist field are being
formed practically on a daily basis. I wish to re-emphasize the
necessity for the field to be alert to, and advise the Bureau con-
cerning, the formation and identities of such groups. The field
should also be alert to the activities of such groups which come
within the purview of Executive Order 10450 or are in violation
of Federal statutes over which the Bureau has investigative
jurisdiction. Investigations, where warranted, should be initiated
and handled pursuant to (Bureau policy relating to the specific
substantive violation.) You are reminded that anticommunism should
not militate against checking on a group if it is engaged in unlawful
activities in violation of Federal statutes over which the Bureau
has investigative jurisdiction.

Investigations of groups in this field whose activities
are not in violation of any statutes over which the Bureau has
jurisdiction are not to be conducted without specific Bureau
authority. A request for authority to investigate such a group
should include the basis for your recommendations regarding investi-
gation.

The above instructions should be called to the attention
of all investigative personnel of your office.

Very truly yours,

John Edgar Hoover

Director

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2AUM/KP

11/63
LETTER NO. 63-27

- 4 -

62-116395-1277X



OFFICE OF THE DEPUTY ATTORNEY GENERAL
WASHINGTON, D.C. 20530

JAN 19 1976

TO: John A. Mintz, Assistant Director
Legal Counsel Division
Federal Bureau of Investigation

M.E.S.

FROM: Michael E. Shaheen, Jr.
Special Counsel for Intelligence
Coordination

Senstudy

SUBJECT: SSC Letter Dated January 19, 1976

Attached is a letter from the SSC dated January 19, 1976. Please arrange for an appropriate response.

assigned Mendlenhall 1/20/76

1/22 Conversation with Cliff - no means of determining names of organizing entities of mob in zero file. Cliff no informant re John Birch and James Peef info. memory of long time supervisors. above provided to Mendlenhall.

*Sub + chm to AG with phone for SSIC
cc D.H.G.
2/10/76 KAM: AM.*

REC-100

62-116395-1277X

7 MAR 4 1976

ENCLOSURE

**ALL FBI INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2ALM/KP**

cc: Paul Daly

5-TM

*1 - aol hrc
1/20/76*



PHILIP A. HART, MICH.
WALTER F. MONDALE, MINN.
WALTER D. HUDDLESTON, KY.
ROBERT MORGAN, N.C.
GARY HART, COLO.

HOWARD H. BAKER, JR., TENN.
BARRY GOLDWATER, ARIZ.
CHARLES MC C. MATHIAS, JR., MD.
RICHARD S. SCHWEIKER, PA.

United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

WILLIAM G. MILLER, STAFF DIRECTOR
FREDERICK A. O. SCHWARZ, JR., CHIEF COUNSEL
CURTIS P. SMOTHERS, MINORITY COUNSEL

January 19, 1976

Michael E. Shaheen, Jr., Esq.
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

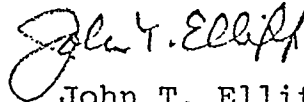
Dear Mike:

The Senate Select Committee requests delivery as soon as possible of the following:

All material pertaining to the authorization and purpose of SAC letter No. 63-27(F), June 11, 1963 captioned "Investigations of Rightest or Extremist Groups". This material should include any material reflecting the interest, authorization, or knowledge of this matter by the Attorney General, the President, and officials of the Justice Department and White House staff. In addition, the Committee requests material reflecting Bureau authorization of all investigations conducted pursuant to paragraph two of the above SAC letter.

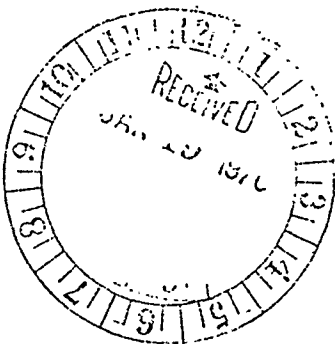
Please advise FBI liaison with the Committee to telephone me when any material response to this request has been compiled.

Sincerely,



John T. Elliff
Director
Domestic Intelligence Task Force

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SP2ALM/KP



ENCLOSURE

62-116395-1277X

NR616 TP PLAIN

FEDERAL BUREAU OF INVESTIGATION
COMMUNICATIONS SECTION

9:58PM URGENT 1/15/76 JLR

TO DIRECTOR (139-4089)

JAN 15 1976

TELETYPE

SAC, WFO (139-166)

FROM TAMPA (139-182) (RUC)

CIA HAS NO OBJECTION TO
DECLASSIFICATION AND/OR
RELEASE OF CIA INFORMATION
IN THIS DOCUMENT.

GMB 3-15-94

Assoc. Dir.	_____
Dep.-A.D.-Adm.	_____
Dep.-A.D.-Inv.	_____
Asst. Dir.:	
Admin.	_____
Comp. Svst.	_____
Ext. Affairs	_____
Files & Com.	_____
Gen. Inv.	_____
Ident.	_____
Inspection	_____
Intell.	_____
Laboratory	_____
Plan. & Eval.	_____
Spec. Inv.	_____
Training	_____
Legal Coun.	_____
Telephone Rm.	_____
Director Sec'y	_____

JAMES WALTER MC CORD, JR., AKA, ET AL, BUREAU OF DEMOCRATIC

HEADQUARTERS, WASHINGTON, D.C., JUNE 17, 1972, IOG, OO, WFO.

SENSTUDY; TAMPA FILE 105-5396.

Senstudy

wcc
my

RE REPORT OF SA ROBERT J. HEIBEL, JUNE 28, 1972, AT TAMPA.

ON JANUARY 15, 1976, WALLACE L. STOREY, ATTORNEY FOR JACK BAUMAN, 600 LAKE MARTHA DR. N.E., WINTER HAVEN, FLA., TELEPHONICALLY CONTACTED SA BROOKE D. ROBERTS, LAKE LAND, FLA., RA, AND ADVISED "CHURCH COMMITTEE" AND SPECIFICALLY ONE MIKE MADIGAN (PHONETIC) HAS REQUESTED INTERVIEW OF BAUMAN. HE ADVISED BAUMAN IS A HEART PATIENT AND UNABLE TO TRAVEL. MADIGAN INDICATED DESIRE TO TRAVEL TO WINTER HAVEN TO INTERVIEW BAUMAN CONCERNING LETTER SENT BY BAUMAN TO HOWARD MUST IN RESPONSE TO OFFER OF EMPLOYMENT.

CARBON COPY

STOREY REQUESTED SA ROBERTS BE PRESENT AT INTERVIEW OF BAUMAN. HE ADVISED MADIGAN HAD INDICATED A DESIRE TO CONDUCT HIS INTERVIEW ON JANUARY 17, 18 OR 19, 1976.

STOREY WAS ADVISED SA ROBERTS WOULD NOT BE AVAILABLE TO SIT

ABOVE INFORMATION FURNISHED TO
MR. STEVEN KUHN, LIAISON OFFICER,
CIA ON 1/16/76 FOR INFORMATION,
AS JACK BAUMAN FORMER AGENCY
EMPLOYEE. *1/16/76*

62-116395-
ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 4-11-94 BY SP8 MAC/MSB

(JFK) INITIALS

INITIALS ON ORIGINAL

Original in 139-4089

62-116395

139-4089-3076

ORIGINAL FILED IN

PAGE TWO TP 139-132

IN AN INTERVIEW WITHOUT SPECIFIC BUREAU AUTHORITY.

STOREY THEN STATED HE RECALLED THE LETTER IN QUESTION WAS DISCUSSED IN DETAIL AT HIS OFFICE IN BARTOW, FLA., BY THEN AUSA EARL SILBERT, NOW USA, WASHINGTON, D.C., AND JACK BAUMAN DURING INTERVIEW PRIOR TO WATERGATE TRIALS.

STOREY ADVISED INASMUCH AS HE IS OF OPINION SILBERT HAS COMPLETE DETAILS OF MATTER, HE WILL RECONTACT MADIGAN AND REFER HIM TO SILBERT AT WASHINGTON, D.C., IN LIEU OF INTERVIEW OF BAUMAN.

IF ADDITIONAL INFORMATION DEVELOPED IN THIS MATTER, BUREAU WILL BE ADVISED.

END.

HOLD FOR TWO

TKR FBIHQ 5

a DW 5

Date of Mail 1/14/76

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SPALM/KP

Subject JUNE MAIL SENSTUDY 1975

Removed By 79 JAN 26 1976

File Number 62-116395-1274

Permanent Serial Charge Out

2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
1 - Mr. W. R. Wannall
1 - Mr. W. O. Cregar
1 - Mr. F. J. Cassidy
January 13, 1976

The Attorney General

Director, FBI

1 - Mr. A. G. Pote

U. S. SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES (SSC)

Reference is made to the December 18, 1975, SSC letter forwarded from the Department of Justice by letter dated December 22, 1975, containing requests for information from the FBI; Director, FBI, letter to the Attorney General of December 24, 1975, which enclosed a memorandum for forwarding to the SSC; and to a conference held at FBI Headquarters January 8, 1976, between personnel of the Intelligence Division and SSC representative Mark Gitenstein.

Enclosed for your approval and forwarding to the Committee is an original of a memorandum in response to a portion of the SSC request as modified at above conference of January 8, 1975.

Also enclosed for your records is a copy of the memorandum.

EX-115

Enclosures - 2
62-116395

REC-38

62-116395-1273X

1 - The Deputy Attorney General
Attention: Michael E. Shaheen, Jr.
Special Counsel for
Intelligence Coordination

7 MAR 18 1976

- Assoc. Dir. _____
- Dep. AD/Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.: _____
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____

1 - 62-116009 (Cointelpro)

AGP:lfj
(11)

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SPALM/KP

1 ENCLOSURE

Handwritten notes and signatures:
per
JAM
WLD
2X
SR

Vertical handwritten notes on right margin:
62-116009
Doc/410
1-12-76
WHREC COPY AND COPY OF ENCLOSED IN
Dated
I will be

- 2 - Mr. J. A. Mintz
(1 - Mr. J. B. Hotis)
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- 1 - Mr. F. J. Cassidy
- 1 - Mr. A. G. Pote

62-116395

January 13, 1976

**U. S. SENATE SELECT COMMITTEE TO STUDY
GOVERNMENTAL OPERATIONS WITH RESPECT
TO INTELLIGENCE ACTIVITIES (SSC)**

ALL INFORMATION CONTAINED
HEREIN IS UNCLASSIFIED
DATE 11/7/00 BY SPALM/KP

Reference is made to the December 18, 1975, SSC letter forwarded from the Department of Justice by letter dated December 22, 1975, containing requests for information from the FBI; Director, FBI, letter to the Attorney General of December 24, 1975, which enclosed a memorandum for forwarding to the SSC; and to a conference held at FBI Headquarters January 8, 1976, between personnel of the Intelligence Division and SSC representative Mark Gitenstein.

The following material is submitted pursuant to the Committee's request as modified at above-referenced conference of January 8, 1976.

Generally speaking, in discharging its obligation, the Bureau has three roads open to it in the handling of its responsibility:

1. Initiate no action until after the fact; wait until a criminal/violent act has occurred, then attempt to solve the crime and bring those responsible to prosecution.
2. Initiate prosecution at the "conspiracy" or "attempt" stage thus thwarting the commission of more serious crimes and acts of violence expected to occur.
3. Take some action, other than arrest and prosecution, to prevent any stage of the crime or violent act from being initiated or to render the commission of the proposed criminal or violent action useless by removing its intended target or rendering impossible its desired result.

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
- Ext. Affairs _____
- Files & Com. _____
- Gen. Inv. _____
- Ident. _____
- Inspection _____
- Intell. _____
- Laboratory _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Legal Coun. _____
- Telephone Rm. _____
- Director Sec'y _____

1 - 62-116009 (Cointelpro)

AGP:lfj ISj
(10)

This document is prepared in response to your request and is not for dissemination outside your Committee. Its use is limited to official proceedings of your Committee and the content may not be disclosed to unauthorized personnel without the express approval of the FBI.

ENCLOSURE

**U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)**

Often, a consideration which militates against seeking prosecution before or after the violence occurs (in addition to considerations of the protection of life and property) is the continued future usefulness of the source of information, or that informant's refusal to become publicly involved to the point of giving testimony.

In August of 1965 a leader of a Ku Klux Klan faction in one southern state, on at least three separately reported occasions in one month, called for acts of violence to be committed "regularly" within that state. This leader, additionally, had been the individual who, it was reported, gave the instructions which resulted in the slaying of three civil rights workers in his state.

Though an interview is a legitimate law enforcement function, this leader was interviewed, not as a solicitation of information, but so that the opportunity could be taken to advise him of the FBI's knowledge of his activity; to advise him of the FBI's ability to observe all his activities by surveillance and otherwise; and to encourage him to rescind his call to violence for the continuation of which, he was cautioned, he could be held accountable.

Thus the Bureau chose to attempt to deter a violent course of action. (This leader was later convicted of complicity in the above-mentioned killings.) Further, the exposure of informants unwilling to testify publicly but who proved to be continually useful was avoided by this tactic.

During the summer months of 1969, San Diego, California, experienced a series of civilian-police confrontations and a "near riot situation." Investigation, including informant information, indicated that a group of Black Panther Party members planned travel within California to participate in the San Diego disorders.

**U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)**

To prevent individual participation in riots or other confrontations with police, interviews were conducted directed toward informing the interviewees of our knowledge of their potential participation and of the elements of the Anti-riot Laws and other statutes.

Further investigation was conducted into the possible mode of travel of those coming into San Diego so that local police could be advised of time and place of arrival and, in cases involving use of aircraft and weapons possession, so that appropriate arrests could be effected.

In choosing to take a course designed to prevent violence, two factors could be considered: the controllability of the results of our action, and the possibility of violence not to a subject's target, but to the subject himself.

Thus, a suggestion that groups known to have engaged in violent acts by the use of firearms be surreptitiously supplied with ammunition "doctored" to prevent its effective use but which would explode and render inoperative any weapon through which it was fired was turned down because the possibility of accident or use by those not intended as our targets could not accurately be controlled or predicted.

A demonstration to protest the Vietnam War was planned in Washington, D. C., in October, 1967. In conjunction with the demonstration, a plan was devised whereby a pilot was to fly daringly low over the Pentagon to drop flowers at the precise moment demonstrators were to attempt a forcible entry into the Pentagon. The attempt was aborted when a Special Agent was successful in convincing those responsible to select him as the pilot to accomplish the mission. Two hours before flight time, those responsible for the

U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SSC)

plan appeared at an airport in the Washington, D. C., area with 200 pounds of flowers ready for the flight, but, as the Special Agent-pilot never showed up, there was no other course at that juncture than to abort the mission. A plan was thus thwarted which could well have resulted in tragedy had another pilot accepted such a dangerous flying mission and violated Federal or local regulations in flying low over the Pentagon which is also in the heavy traffic pattern of the Washington National Airport.

(It should also be noted that the potential for violence, had this group chosen to add explosives or other damaging material to the 200-pound package of flowers unbeknownst to the pilot, was similarly thwarted.)

Where potential for violence is the consideration, the question of immediacy becomes paramount. Thus, in one of the above examples, a direct, face-to-face interview was the chosen course. Where that potential for violence is less imminent, techniques to discourage an action have been considered.

As an example, in the early part of 1966, when it was recognized that Ku Klux Klan-affiliated factions were engaging in violent behavior of various sorts, an effort was made to reduce their willingness to engage in such acts by removing the veil of secrecy under which these factions' members operated. Post cards bearing a caricature of a sheeted Klansman were mailed to members and a national Klan leader told a national newspaper that, as a result, members were "embarrassed" and that there was "dissension in the ranks," a most disruptive effect.

**U. S. Senate Select Committee to Study
Governmental Operations with Respect
To Intelligence Activities (SEC)**

Where violence is advocated by an individual before his group or as a representative of a group, there are other approaches. In the summer of 1960 a national Klan leader, speaking at a Klan rally before a large crowd, announced that it was "present Klan policy" to shoot FBI Agents appearing on a Klansman's property. To prevent policy from becoming fact, a statement reporting these remarks, explaining Federal law relating to the assault of Federal agents, and exposing the "hypocrisy" of the Klan's attempts at presenting a "non-violent public image," was prepared and made available to the news media, thus exposing to public scrutiny (and scrutiny by less militant members) such a Klan policy. (Reproval from influential Klan officers was a desirable tangential effect.)

The above examples may not necessarily meet the proposed guidelines for preventive action drafted by the Department; however, these practical situations may be of assistance in developing more comprehensive guidelines.

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5-140 (Rev. 1-21-74) FEDERAL BUREAU OF INVESTIGATION
WASHINGTON, D. C. 20535
Addressee: Senate Select Committee
 LTR LHM Memo Report dated 1/13/76
Caption of Document: Re let 12/18/75 from Senators
Mondale and Baker. Re modifications made at
conference of 1/8/76.
Originating Office: FBI
Delivered by: D. J. Cane Date: 1/15/76
Received by: John L. Wilson
Title: Receptionist
Return this receipt to the Intelligence Division, FBI

TO: Intelligence Community Staff
 ATTN: Central Index

FROM:
FBI

SUBJECT: Abstract of Information Provided to Select Committees

1. HOW PROVIDED (check appropriate term. If a document was made available for review but not transmitted, so note.)

2. DATE PROVIDED
1/13/76

<input checked="" type="checkbox"/>	DOCUMENT	<input type="checkbox"/>	BRIEFING	<input type="checkbox"/>	INTERVIEW	<input type="checkbox"/>	TESTIMONY	<input type="checkbox"/>	OTHER
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3. TO WHOM PROVIDED (check appropriate term; add specific names if appropriate)

<input checked="" type="checkbox"/>	SSC
<input type="checkbox"/>	HSC

4. IDENTIFICATION (provide descriptive data for documents; give name or identification number of briefer, interviewee, testifier and subject)

Memorandum

5. IN RESPONSE TO (list date and item number if in response to formal request, otherwise state verbal request of (name), initiative, subpoena, etc.)

SSC letter 12/18/75

6. CLASSIFICATION OF INFORMATION (enter U, C, S, TS or Codeword)

U

7. KEY WORDS (enter the appropriate key words from the list provided separately; if key words not listed are used underline for emphasis)

Operating procedures
Information handling

8. SUMMARY (see reverse side before completing this item)

Information regarding preventive action in instances where potential for violence exists.

62-116395

SJM:lhb (4) ORIGINAL VIA LIAISON TO CENTRAL COMMUNITY INDEX IN CONNECTION WITH SENSTUDY 75.

TREAT AS YELLOW

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INSTRUCTIONS

- Type or print clearly in ink.
- Indicate classification of the abstract top and bottom.
- Date the abstract and put on any internal control numbers required.
- "FROM" entry should clearly identify the organization providing the information.
- If additions (as when a copy of document sent to SSC is later sent to HSC) or changes to a previously submitted form are necessary, submit a copy of the original abstract, with the change indicated.

SPECIFIC ITEM NO. 8. SUMMARY - enter brief narrative statement describing substance of information and showing relationship to Intelligence Community matters if appropriate. Any feedback or evidence of investigatory interests should be noted. Commitments made to supply additional information should be noted. Additionally, certain administrative information may be entered here, e.g., restrictions on review of a document, if document was paraphrased, whether interviewee is current or former employee, etc. If actual document or transcript is provided, that fact should be noted and no summary is required. Additional pages may be attached if necessary.

UNITED STATES GOVERNMENT

Memorandum

- Assoc. Dir. _____
- Dep. AD Adm. _____
- Dep. AD Inv. _____
- Asst. Dir.:
- Admin. _____
- Comp. Syst. _____
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- Files & Com. _____
- Gen. Inv. _____
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- Laboratory _____
- Legal Coun. _____
- Plan. & Eval. _____
- Spec. Inv. _____
- Training _____
- Telephone Rm. _____
- Director Sec'y _____

- 1 - Mr. J. B. Adams
- 1 - Mr. J. A. Mintz
- 1 - Mr. W. V. Cleveland

TO : Mr. W. R. Wannall *Wannall*

DATE: 1/13/76

FROM : W. O. Cregar *Wannall*

- 1 - Mr. E. W. Walsh
- 1 - Mr. W. R. Wannall
- 1 - Mr. W. O. Cregar
- 1 - Mr. S. F. Phillips

SUBJECT: SENSSTUDY 75

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5- Cregar

This memorandum responds to Director's inquiry of Assistant Director Mintz as to whether recent Senate Select Committee (SSC) request pertaining to allegations against FBI is sufficiently outside scope of SSC's mandate to merit a Bureau protest.

SSC letter 1/8/76, signed by John T. Elliff, forwarded list of five allegations of misconduct and abuse, and requested responses to nine questions for each of five incidents -- questions 1 - 8 to be answered by Bureau, number 9 by Department. Letter also requested that answers to questions 1 - 7 be "accompanied by full back-up documentation, including memoranda, inspection or investigative reports, 302's, personnel reports, and communications to and from the field." (Copy of SSC letter and accompanying material attached to this memorandum.)

On 1/12/76, W. O. Cregar of Senstudy 75 Project conferred with Elliff to clarify request as to one of the allegations. In the ensuing discussion Elliff said that the purpose of this inquiry is to learn what information is provided to the Attorney General (AG) consistent with his oversight responsibilities once an allegation surfaces in the media. In responding to the questions raised by the SSC, the only back-up documentation the SSC desires are those communications sent to the AG after the allegation involved was surfaced. **ST 115**

REC-51

62-116395-1273

In view of the limited documentation being requested by the SSC, per Elliff's modification of the original request, it is not believed that the Bureau has sufficient argument to support any protest to the SSC. Even if Elliff had not narrowed the documentation request, it is ~~not believed that~~

Enclosures

62-116395

SFP:dmt
(8)

JAN 22 1976

CONTINUED - OVER

5-8

84 JAN 26 1976

ENCLOSURE

ENCLOSURE ATTACHED

Memorandum to Mr. W. R. Wannall
Re: SENSTUDY 75
62-116395

a protest is merited relative to the 1/8/76 request although Allegation Number 4 relates to an organized crime matter and therefore could be considered questionable as to falling within the mandate of the SSC in Senate Resolution 21. The key here is the meaning of the term "intelligence activities" as used in the Resolution. At the outset of our handling of SSC requests, we had thought that the SSC would be looking into only our security work but learned soon after inception of Senstudy 75 that the SSC's interpretation of "intelligence" was broad and could include all our work, security as well as criminal. On this basis, we have been complying with a number of SSC requests having no security ramifications but rather relating to the organized crime field. Interestingly, the thrust of the SSC inquiry has been in the security field and its requests relating to criminal work have been a ^{bare} minimum and apparently very selective as to situations it desires to look into.

OBSERVATIONS:

It is interesting to note that according to Elliff, the SSC interest in what we furnished the AG on these allegations is confined to after the allegations were publicly surfaced, not when we first learned of them. One would think that the SSC would be interested in what we did to advise the AG when we first learned of the allegations, not just after public surfacing. We, of course, are responding to the SSC exactly as requested but recognize there could be a follow-up request for information as to when we first advised the AG, regardless of public surfacing. It is further observed that the request in question is typical of many of its requests in terms of ambiguity and being "shotgun" in approach and, like many others, has required consultation with the SSC to clarify, modify or narrow original requests.

Memorandum to Mr. W. R. Wannall
Re: SENSTUDY 75
62-116395

RECOMMENDATION:

None. For information of the Director.

[Handwritten signatures and initials]
A large stylized signature is at the top left. To its right are the initials "JAW" and "JCF". Further right is "WRW" with "HET" written below it. Below these are "JAW" and "K". At the top right is "p. 3".

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United States Senate

SELECT COMMITTEE TO
STUDY GOVERNMENTAL OPERATIONS WITH
RESPECT TO INTELLIGENCE ACTIVITIES

(PURSUANT TO S. RES. 21, 94TH CONGRESS)

WASHINGTON, D.C. 20510

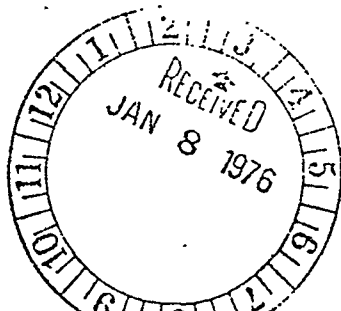
January 8, 1976

Michael E. Shaheen, Jr., Esq.
Special Counsel for Intelligence Coordination
Office of the Deputy Attorney General
U. S. Department of Justice
Washington, D.C. 20530

Dear Mike:

One of the subjects which the Committee will be addressing in preparing its legislative recommendations involves the adequacy of the FBI's inspection procedures for handling allegations of misconduct and abuse. In this regard we are forwarding herewith a list of several such allegations which have been made during the past few years and concerning each of which we would appreciate your supplying us with the following information:

1. How did FBI Headquarters first become aware of the allegation?
2. Was an investigation or inspection conducted? If not, was any other action taken?
3. How was the decision made to conduct (or not to conduct) an inspection or investigation, or to take (or not to take) other action?
4. Which Division, or operating level (headquarters or field), conducted the inspection or investigation?
5. How was the decision made as to which Division or operating level was to conduct the inspection or investigation?
6. Was the original allegation reported to the Attorney General or any other Department of Justice official?



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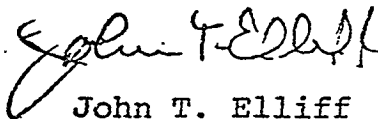
January 8, 1976

7. Were the results of the inspection or investigation reported to the Attorney General or any other Department of Justice official?
8. Was prosecution or administrative action (e.g., suspension or dismissal) considered or taken?
9. If any of the allegations on the attached list were made today, would they be handled by the newly-created office of Professional Responsibility? In what manner would they be handled? If an investigation were deemed warranted, which agency's personnel would do the investigating. In this regard, please also advise concerning which agency's personnel will be investigating recently-reported allegations that agents of the FBI "attempted to coerce" a House Select Committee on Intelligence witness "into repudiating his testimony before the select panel."

Answers to questions 1 - 7 should be accompanied by full back-up documentation, including memoranda, inspection or investigative reports, 302's, personnel reports, and communications to and from the field.

Your continued cooperation is appreciated.

Yours very truly,



John T. Elliff
Director
Domestic Intelligence Task Force

LEVI ASKS INQUIRY IN ATTACK ON F.B.I.

Special to The New York Times

WASHINGTON, Jan. 6—Attorney General Edward H. Levi has asked the Justice Department's new internal inspection unit to investigate an assertion by the House Select Committee on Intelligence that the Federal Bureau of Investigation attempted to coerce a committee witness into repudiating his testimony before the select panel.

A Justice Department spokesman said that Mr. Levi, responding to a request for information about the incident from A. Searle Field, the committee's staff director, had assigned the matter for investigation to the department's newly created Office of Professional Responsibility.

In a letter to Mr. Levi last week, Mr. Field reported that the witness, Martin L. Kaiser, had disavowed part of his committee testimony after a six-hour interrogation by F.B.I. agents.

Mr. Kaiser heads a Maryland company that makes electronic eavesdropping equipment for the F.B.I. and other Federal law enforcement agencies.

His testimony before the House Committee in October raised the possibility that some F.B.I. agents had received kickbacks when another electronics company sold to the F.B.I. material it had acquired from Mr. Kaiser's concern.

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LIST OF ALLEGATIONS

1. The March 20, 1975 edition of the New York Times reported that "the Federal Bureau of Investigation has carried out kidnappings of a number of persons in the United States that it believed to be clandestine agents of foreign intelligence services, according to two former FBI agents."
2. The August 11, 1975 issue of Time Magazine reported the discovery of "Bureau manuals, documents and reports" in the apartment of a KGB "operative" who was described as the "mistress" of an FBI agent.
3. The August 11, 1975 issue of Time Magazine also reported that in 1961 a Bureau agent was "suspected of giving FBI reports to the Soviets."
4. The March 29, 1975 edition of the Washington Post reported allegations that an FBI agent had been "bribed by a member of the Mafia."
5. A recent edition of Time Magazine reported that "sensitive" FBI documents "were carried off in an FBI truck to West Virginia's Blue Mountain Ridge Club, a Shenandoah Mountain Hideaway used by innermost FBI officials for regular poker games with CIA and other cronies. The papers were burned in the Club's large fireplace."

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3/20/65 My Team

2 Former Agents Say

By JOHN M. CREWDSON
Special to The New York Times

WASHINGTON, March 19—

The Federal Bureau of Investigation has carried out kidnappings of a number of persons in the United States that it believed to be clandestine agents of foreign intelligence services, according to two former F.B.I. agents with direct knowledge of such operations.

One of the former agents placed the number of such kidnappings over the years at "fewer than 10" and said that as far as he knew, the technique had not been employed by the bureau since the mid-nineteen-sixties.

He said that its use had been occasioned by such cold war incidents as the Cuban missile crisis "when things were pretty rough," and that he was "certain that this is no longer going on."

A spokesman for the bureau said only that the bureau would adopt "a no-comment posture" with respect to the kidnapping allegations.

A Pattern in Targets

Both of the agents said that, with one possible exception, the targets selected by the F.B.I. for kidnapping were suspected intelligence operatives from Communist countries who had entered the United States illegally with forged American passports and other identity documents.

The use of the kidnapping technique was also confirmed, although not in detail, by two other former F.B.I. agents.

In separate interviews, the two former agents who described the alleged kidnappings left open the possibility that in one instance the bureau had erred in kidnapping a person who proved not to be a deep-cover spy but a legitimate American citizen.

One of the agents conceded, however, that in every case the practice was "completely wrong—completely in violation of civil liberties. No question about it," he added. But he said, "In the business of intelligence, you're faced with the concept of expediency. That oftentimes leads you into extra-legal activities."

charged with a crime, to habeas corpus and to the assistance of counsel, among others.

Kidnapping, the former agent said, was a last resort used when no alternative means could be quickly found to interrogate a suspected subversive, or to "turn" him into a double agent willing to report to the F.B.I. on the activities of his own intelligence service.

It was, he said, "the type of thing that's never done lightly."

Both men denied that physical torture was ever employed in such cases, although one said that, when a suspect had been located, "You'd pick him up and take him somewhere and work him over."

The victims were often threatened with death as punishment for noncooperation, he added, although neither official recalled any instance in which a hostage had been murdered.

One of the former agents maintained, however, that mental duress was an important part of such interrogations, and he described one case in which a person was seized and detained in an F.B.I. "safe house" for "several weeks."

Absence Not Noticed

Because the man was not operating under diplomatic cover, as many foreign espionage agents do, and was not otherwise an official personage, his extended absence went publicly unnoticed, the former agent said.

The spy, he said, knew his captors only as "U.S. intelligence agents," at least one of whom was with him constantly.

"Someone slept in the same bed with him. We even went with him to the bathroom," he said.

After weeks of intense interrogation the man broke and agreed to become a double agent and was told, in the former agent's words:

"You are a free man. Do you know what that means? If you leave here and do not keep your promises we will do nothing further to you. Because you have made a commitment and we will take you at your word."

The man did keep his word;

the former agent said, and appeared at an appointed meeting with an F.B.I. intelligence agent a week later.

But the former agent acknowledged that the technique contained a critical flaw: The F.B.I. had no way of knowing whether the man, or others like him, reported their experiences to their own government, and thus became triple agents.

'Playing for Keeps'

The use of kidnapping, one of the former agents emphasized, "was a tough game. That was when you're playing for keeps," he said.

He said that, to his knowledge, it was never employed against the domestic left or

Alleged Violations

Several lawyers, including representatives of the American Civil Liberties Union, pointed out that an alien illegally in this country is by law afforded many of the same guarantees of due process as American citizens.

The bureau's only legal alternatives in such cases, one lawyer said, were to turn such individuals over to the Immigration and Naturalization Service for a deportation hearing or to charge them with illegal entry or espionage.

To have held such an individual incommunicado for more than a day, the lawyer added, would have violated his rights to be formally arrested and

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F. B. I. Has Kidnapped Suspected Foreign Spies in U.S.

organized crime figures, but was reserved for operatives of the Soviet K.G.B., or secret police, or representatives of other Soviet-bloc intelligence services.

The technique was particularly useful, he explained, when the F.B.I. feared that it was about to lose track of a suspected agent posing as an American citizen.

"You'd identify your man and follow him to develop who he was contacting here," the former agent said, "but you always ran the risk of losing him in 200 million people."

One instance in which that concern played an important part was described by the two former agents.

In the early nineteen-sixties, they recalled, a man walked casually into the recorder's office in a rural Middle West county seat near the Canadian border and asked for a copy of his birth certificate.

The man explained to the clerk that he had left the region

when he was a small child and was now seeking to document his family history. The name he gave was that of a former resident of the county, someone whom the records clerk and others there remembered had suffered a permanent pelvic injury as a youth.

The inquiring man appeared to walk perfectly, however, and the townspeople, their suspicions piqued, notified the local office of the F.B.I.

"Thank God the resident agent was on the ball," one of the sources said, "and went over and checked the matter out."

Linked to Soviet

The F.B.I., he said, placed the mysterious stranger under surveillance and eventually became convinced that he was a Soviet intelligence agent who had penetrated the United States illegally.

When the local F.B.I. agents became concerned that they would lose the suspect, the source recounted, a decision was made "to hit him."

After receiving authorization directly from J. Edgar Hoover, the late F.B.I. director, a specially picked team of agents seized the suspect and rushed him to a secluded "safe house" of the bureau for interrogation, the two sources said.

One of the former agents described the interrogation as a "stern" one, and the other added that "this was rough business," though neither provided specific details of the ordeal to which the man was subjected.

Both sources described the operation as a success but declined to elaborate on its precise disposition or the subject's present whereabouts.

One of the former agents maintained, however, that none of the suspected espionage agents involved in these operations had ever died as a direct result of the kidnapping or interrogation, or while attempting to escape.

The former agent said that although the bureau never

operated a formalized "kidnapping squad," at one time there was a coterie of agents who "could and would" carry out illegal high-risk operations such as burglaries and kidnappings. But by the mid-nineteen-sixties, he said, these men had become convinced that Mr. Hoover would no longer back them and they refused to undertake such work without "paper" or written authorizations, which Mr. Hoover was unwilling to give.

Too Dangerous to Accept

"You'd call a guy up and ask him to do something," the source recalled, "and he'd remind you that he had two kids in college and he could see his retirement down the road."

"This work was exceedingly dangerous," the second former F.B.I. man said. "You could get shot, you could get arrested."

The first former agent confirmed these points, adding that no mention of kidnapping was

ever made in writing and that consequently no record of it exists within the bureau's files.

Knowledge of the kidnapping operations was "very, very closely held," he said, being limited to Mr. Hoover, who personally approved each of them; a handful of top officials, and the agents in the field who carried them out.

"Nobody will admit a damn thing," he said, pointing out that the crime of kidnapping carries no statute of limitations.

The lawyers interviewed in connection with the legality of these operations said, however, that Federal and state kidnapping statutes had probably not been violated by the agents who carried out the abductions, since no ransom was extracted.

Because "the best interests of the country would not be served by pursuing that investigation," the man declined to identify either the F.B.I. agents or the suspected subversives involved in the kidnappings.

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TIME
6.106-1109, 11, 1975

FBI

Seduced by the KGB

P. 19

While concentrating its efforts upon the CIA, Senator Frank Church's special committee that is investigating U.S. intelligence programs has also been accumulating data on the FBI. Last week TIME learned that the committee has heard some startling reports of misdeeds, break-ins and cover-ups, including the story of an agent whose mistress was linked to the Soviet KGB.

The affair was discovered in 1963 when a CIA source in Moscow reported that KGB officials were jubilant about getting one of their operatives in bed with an FBI agent. To check out the CIA's report, the FBI broke into the apartment of the woman, a middle-aged waitress, and discovered bureau manuals, documents and reports. Some FBI officials urged prosecution, but J. Edgar Hoover's palace guard of deputies stopped the inquiry to avoid embarrassing the bureau and its boss. The agent was simply allowed to resign. The KGB also appears to have penetrated the FBI in 1961. In this case, the agent suspected of giving FBI reports to the Soviets (a polygraph test on him was inconclusive) was fired on a minor technicality.

The Church committee has also turned up evidence of a variety of extralegal activities practiced by the FBI. The bureau is said to have maintained special schools to train agents in the techniques of the "bag job," a euphemism for breaking and entering. The graduates—lockpickers, burglars and a few safecrackers—managed to steal some code books from foreign embassies. For this they received "incentive awards" ranging from \$250 to \$500.

The Senators would like to know more about the private files Hoover kept on public officials and what use he made of them. John Mohr, a former top FBI official, has told TIME that he had been questioned three times by the committee about the dossiers assembled by Hoover on scores of people. Just what happened to some of the files after Hoover's death in 1972 is still a mystery.

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Justice Dept. Looks Into Bureau Bribe Investigation

FBI Bid to Kill Probe Charged

By Ronald Kessler
Washington Post Staff Writer

Shortly after he became director of the FBI, Clarence M. Kelley twice made unsuccessful attempts to stop a Justice Department investigation of an allegation that an FBI agent had been bribed by a member of the Mafia, according to an informed source.

The charge was leveled against New York FBI agent Joseph Stabile by two fellow New York agents. One said Stabile had admitted to him that he took the bribe.

An investigation was closed when it turned up no evidence against Stabile. But the two agents who made the accusation told the Justice Department's organized crime strike force in Brooklyn that the FBI investigation had been a "cover-up," the source said.

This triggered a Justice Department investigation, which is continuing, the source said.

Despite the origin of the Justice Department investigation, the source said, Kelley asked high-ranking department officials in 1973 to call the Brooklyn prosecutors off the case on the grounds the FBI had found no violations of law.

In addition, the source said, Kelley complained that the Justice investigation was hurting FBI morale.

During the ensuing dispute, he said, Henry E. Petersen, then chief of the Criminal Division of Justice, informed the Brooklyn prosecutors of Kelley's attempts and told Kelley the investigation would continue.

Another source said Petersen later cited the New York incident to show the need for an inspector general within the Justice Department to police the FBI.

Petersen, who has since left the Justice Department, confirmed recently that Kelley wanted the investigation stopped but could not recall how he had made his views known. Petersen said he would not dispute that it was in the form of a request.

"There was a difference of opinion, and ultimately the opinion of the Criminal Division prevailed, and the FBI acquiesced in that opinion," he said.

The informed source said Kelley's requests, which were known to only a few FBI and department officials amounted to "pressure" and an "attempt to suppress it [the investigation]."

The FBI, the former prosecutors said, is a fact-finding agency that normally does not express opinions on whether an investigation started by Justice should be continued.

Another former federal prosecutor said the FBI, on rare occasions, has expressed such an opinion based on manpower considerations. But FBI intervention when it is a target of the investigation would be "improper," the former Justice Department official said.

Sources familiar with the bribe allegation attributed Kelley's action to a feeling long held by FBI leaders that any hint of corruption would irreparably damage the bureau's image and effectiveness.

Although Kelley's attempts were unsuccessful, the Justice investigation had been ham-

pered by the FBI's handling of the case before Kelley became director in July, 1973, one source said.

Chief among these problems — which were confirmed by a second source — was the fact that the FBI immediately confronted Stabile with the bribe allegation before attempting to gather evidence against him.

In doing so, the source said, the FBI agent gave the agent treatment it would not give others suspected of criminal behavior.

In addition, the source said, at that same time the FBI violated its own procedures by failing to inform the Justice Department that it was conducting an investigation of the bribe allegation.

An FBI spokesman said Kelley cannot comment on the bribe allegation because many of the same issues will be raised in a Brooklyn perjury trial scheduled to begin April 14.

The trial, to be held in u.s. district Court, is of John Caputo, who is identified by the

FBI as a member of the Luchese New York Mafia family.

Caputo is alleged to have bribed Stabile.

The trial, however, centers on the question of whether Caputo lied when he told a grand jury he had not admitted to FBI agents that he paid off New York city policemen.

Reached at his Hawley, Pa., country home Caputo, 71, said of the charge he paid off an FBI agent, "I got nothing to do with this."

Asked if he is a member of the mafia, Caputo said, "come on. I have nice children. My kids went to nice Catholic schools. They say you're with this, with that."

Many of the essential facts surrounding the bribe allegation — including the identity of the accused agent, Stabile — were revealed in pre-trial testimony taken last month for Caputo's pending perjury trial.

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UNITED STATES GOVERNMENT

Memorandum

TO : Mr. J. B. Adams

FROM : Legal Counsel

SUBJECT: SENATE SELECT COMMITTEE
ON INTELLIGENCE ACTIVITIES

DATE: 1/2/76

Assoc. Dir. _____
 Dep. AD Adm. _____
 Dep. AD Inv. _____
 Asst. Dir.:
 Admin. _____
 Comp. Syst. _____
 Ext. Affairs _____
 Files & Com. _____
 Gen. Inv. _____
 Ident. _____
 Inspection _____
 Intell. _____
 Laboratory _____
 Legal Coun. _____
 Plan. & Eval. _____
 Spec. Inv. _____
 Training _____
 Telephone Rm. _____
 Director Sec'y _____

At 9:43 a. m. on January 2, 1976, a caller identifying himself as Dr. Bill McGee, formerly employed as a chemist in the FBI Laboratory, advised that he retired in 1965. During September, 1975, he received a telephone call from Mike Epstein of the Senate Select Committee, who said he wanted to interview McGee about the FBI Laboratory. Epstein said that he obtained McGee's name from William Sullivan, but he would not specify the particular subject matter proposed for the interview. Arrangements for the interview were never completed.

McGee received a second telephone call from Epstein on December 29 or 30, 1975, at which time Epstein implied that he had spoken with Ivan Conrad, former Assistant Director of the Laboratory, but he would not disclose what if anything Conrad had said. Epstein again requested McGee to be available for interview and McGee agreed to appear at 10:00 a. m. on Tuesday, January 6, 1976. McGee said that he still could not learn the proposed subject matter of the interview and in view of the fact that he feels bound by a secrecy agreement, he executed while employed by the FBI, he requested that the Bureau contact Mike Epstein to determine the proposed subject matter of the interview and then advise McGee as to those subjects concerning which he could be relieved of the obligation of secrecy. McGee said that his office telephone number where he could be reached on January 2, 1976, is 525-0764, and his residence is 538-4085.

- 1 - Out of service file William McGee
- 1 - Mr. Wannall
- 1 - Mr. Cregar
- 1 - Mr. Daly
- 1 - Mr. Mintz

REC 12 62-11232-1270

JAN 13 1976

JAM:mfd
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CONTINUED - OVER

LETTER [Signature]



JAN 20 1976

U.S. Savings Bonds Regularly on the Payroll Savings Plan

Memorandum to Mr. Adams
Re: Senate Select Committee

McGee also advised that he had spoken with Seymour Phillips who told him that the Bureau had given the House Committee on Intelligence McGee's name in connection with their inquiry concerning the U.S. Recording Company. McGee said he had no knowledge of that matter.

RECOMMENDATION:

Office of Congressional Affairs will contact Epstein, determine the subject matter of the interview, and appropriately advise McGee.

*done see memo
p13/lead
1/16/76
p13*

PLM used [Signature]

→ I did NOT tell McGee that we gave his name to HSC. I told McGee that HSC had his name & wanted to know his address which we were giving ^{to} HSC

[Signature]

62-116395-1266
CHANGED TO
62-116464-288

FEB 4 1976

Cons. / mnd.

ALL INFORMATION CONTAINED
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Date of Mail 1/13/76

Has been removed and placed in the Special File Room of Records Section.

See File 66-2554-7530 for authority.

MDR-16
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Subject JUNE MAIL SENSTUDY 75

Removed By 79 JAN 19 1976

File Number 62-116395-1263

Permanent Serial Charge Out